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AN IGNOBLE SOCIETY:  
THE FAILURE OF BRITISH NOBILITY  
IN EARLY AMERICA

by

John Keith Edgerton

B.A., University of Montana, 1983

Presented in Partial Fulfillment of

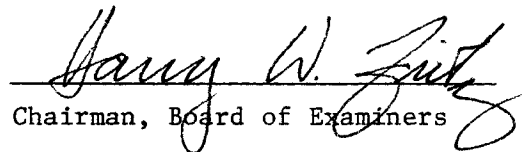
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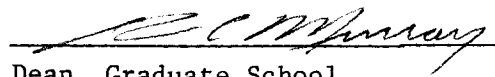
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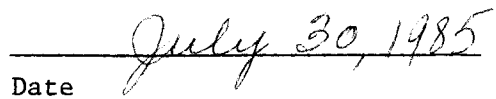
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History

An Ignoble Society: The Failure of British Nobility in Early America (116 pp.)

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The political theory of mixed government was venerated by most enlightened Anglo-American thinkers. After the English societal vicissitudes of the seventeenth century were quelled, many observers believed that this form of government--which combined the three traditional elements of political society: the monarch, the nobility, and the people, into a self-balancing unit--was the obvious choice for the ruling bodies of the New World colonies.

Englishmen transported the theory to early America but only two of the three branches evolved in the colonies: the royal governor and the colonial assembly. Missing was the middle-spoke, the nobility, whose place was weakly assumed by the advisors to the governor, the royal council. Because councillors were subservient to the crown for their positions, but not titled noblemen, they were unsure of their legitimacy and lacked the necessary security and independence required of their positions.

This lack of security and legitimacy led to significant political problems in America, none of which proved more debilitating than the marked instability of colonial politics. This instability, mildly present in the decades prior to the Revolution, became acute after 1763, contributed to the growing tension, and led many Anglo-American officials into frenzied but unsuccessful attempts at creating artificial colonial nobilities to balance and stabilize the inchoate nature of early American government.

The ultimate failure of an American nobility can be traced to its frigid reception by a republican-spirited populace. Hitherto accepted ideas of distinctions, titles, and inequality based solely upon birth were antithetical to republicanism. Americans instead chose democratic political methods over time-honored and tradition-bound European ones in determining which men would rule their new, virtuous nation.

Sources utilized in this study included the papers and correspondence of various royal officials, as well as many pamphlets and newspapers spawned by the Revolutionary crisis. Much of the rich secondary literature recently published by the ideological scholars of the American Revolution was also incorporated.

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The aristocracy are not the farmers who work the land, and raise the produce, but are the mere consumers of the rent; and when compared to the active world are the drones. . .who neither collect the honey nor form the hive, but exist only for lazy enjoyment.

Thomas Paine  
The Rights of Man, 1791



## - INTRODUCTION -

"Every Englishman loves a lord," is an old English saying, its origins unknown though popularized in seventeenth and eighteenth century England. In essence it means that Englishmen then and now are enamored by the idea of heraldry, peerage, titles of nobility and the like. The presence of a titled nobility has long been a hallmark of British society and suggests an easily identifiable social order, rigid social stratification, and at least a modicum of deference afforded those titled elites by the lower, less-privileged classes. Moreover, members of this aristocratic class in England have, over the course of history, legitimized their status by a variety of methods, but none more visible and important than the accumulation of power in the second branch of the government, the House of Lords. In recent times "the Lords" have steadily lost tangible power as has the monarch; both have given way to the dominance of the House of Commons, the representative body in the English system. During the seventeenth and eighteenth centuries, however, the House of Lords reached its zenith of power and played an integral part in what many contemporary political theorists termed "the perfect constitution," the English-stylized phenomenon of mixed government.

The constitutional theory was not new. Aristotle had first postulated it in the fourth century B.C. Yet it took some two thousand years to reach practical fruition. In feudal England after the Norman conquest great landed barons acted as advisors to the king and increased their power and political status; gradually over the course

of the Middle Ages, this feudal aristocracy played an important role in the developing constitutional hierarchy. Partially as a dividend of the socio-political tumults of the seventeenth century each facet of the English political society: the monarch, the aristocracy, and the representatives of the land-owning gentry, members of the House of Commons, emerged into what many held as a perfectly balanced system of government. Each branch theoretically shared an equal amount of power and was thus able to check any excesses of the other two. Through this combination perpetual tranquility could be ensured in both government and society.

The early English settlers transported this theory to the New World, though initially failing to put it into actual practice in their frontier societies. Many officials hoped these quasi-mixed governments in miniature would come with time to mirror the excellence of the mother country's constitution. As a beneficial result political strife would become nonexistent and harmonious governing would be ensured. The natural fruits of this harmony could only be increased mercantilist efficiency, and with that more profit could eventually flow from the colonies to England.

As the colonial governments evolved, however, it became obvious that the mimesis of the British model had been only partially realized. By the early eighteenth century the House of Commons was clearly symbolized in the form of the colonial assembly the institution that embodied the locally elected representatives of the people. The monarch too, in the person of the king's vicegerent, the appointed royal governor, ruled in an executive capacity in most colonies. But

the nobility, represented in the House of Lords in England was acutely absent in colonial America.

Attempts were made throughout colonial history to remedy this defect. The colonial council, established during the seventeenth century settlements, consisted of a group of the wealthiest men in the various societies, usually twelve in number, who were chosen by the governor or appointed in Britain to fulfill the constitutional role of an American House of Lords. But as Michael Kammen, an eminent historian of the period has written, "No one really knew how to define the proper role and identity of the colonial council. It was not quite a cabinet, but not quite a counterpart of the House of Lords either."<sup>1</sup> To further complicate its ambiguous position, it had no colony-wide uniform instructions or traditions to follow. Moreover, councillors in America in contrast to their English counterparts held no special privileges, no titles, no hereditary honors, nor any other attributes to distinguish them from other colonial Americans. This was of significance because to paraphrase the venerable historian R.R. Palmer, "For to be an aristocrat it is not enough to think of oneself as such, it is necessary to be thought so by others."<sup>2</sup> As a result of this lack of legitimacy and this confused identity, the members of the various councils by the eve of the Revolutionary crisis had become either "creatures of the People," as one royal governor complained or flatterers and pawns at the disposal of politically pressured governors.<sup>3</sup> "Yet," as another colonial scholar, Bernard Bailyn, has noted, "these were the bodies expected to maintain, by their independence from pressures generated above and below, the balance of

the whole. The fact that they could not do so was considered a major failing of colonial government."<sup>4</sup>

This lack of security, legitimacy, and identity led to several significant political problems in the developing colonies, none of which proved more important or debilitating than a marked instability in the realm of colonial and provincial politics. This instability, mildly present in the decades prior to the Revolution, became especially acute after 1763, contributed heavily to the growing revolutionary tension and led many royal officials both in America and Great Britain into frenzied but unsuccessful attempts at creating artificial nobilities in the colonies in hopes of balancing and stabilizing the inchoate nature of early American government.

Their lack of success is perplexing. Eighteenth century America was in the process of becoming more like the mother country, undergoing what historians have recently termed the Anglicization of their respective societies.<sup>5</sup> This metamorphosis took various forms ranging from colonial mimicking of religious habits and practices, to the imitation of eighteenth century English Whig opposition political culture. Why, then, did a nobility in pre-Revolutionary America fail to take hold, particularly in light of the above, and what were the ultimate ramifications of its absence? Answers to these questions are complex, but analysis can provide clues to the chaotic American political situation as it existed on the eve of the Revolution. By examining the stillbirth of the titled nobility in America we can better understand our colonial relationship with Great Britain. More importantly, we can begin to tie further loose strands together in our

continuing quest at comprehending just how revolutionary our actions  
some two centuries ago really were.

-NOTES, INTRODUCTION -

1. Michael Kammen, People of Paradox: An Inquiry Concerning the Origins of American Civilization (New York, 1972), p. 40.
2. R.R. Palmer, The Age of the Democratic Revolution (Princeton, 1959), Vol. I, p. 235.
3. Francis Bernard to Lord Hillsborough, November 14, 1768, in Francis Bernard, Copies of Letters from Sir Francis Bernard to the Earl of Hillsborough (Boston, 1769), p. 16.
4. Bernard Bailyn, ed., Pamphlets of the American Revolution, 1750-1776, (Cambridge, 1965), Vol. I, p. 78.
5. John M. Murrin's "Anglicizing an American Colony: The Transformation of Provincial Massachusetts," Ph.D. dissertation, Yale, 1966; and subsequent writings expound at length on the process of Anglicization in Massachusetts particularly, and colonial America generally.

- CHAPTER ONE -

THE VENERATED CONSTITUTION

"The best model of Government that can be framed by Mortals " was the description one American used in 1759 to explain the brilliance of the English constitution of government.<sup>1</sup> Most Americans considered this no overstatement. For well over a century they had been lectured from pulpit to political stump on the peculiar excellence of the mother country's form of mixed government, so much so that by the middle of the eighteenth century the reverence of the political theory had become as firmly entrenched in the colonies as it had in England.<sup>2</sup>

Why the glorification, the near deification of this particular political system--a system that prompted near-universal acclamation by the eve of the American Revolution?<sup>3</sup> The answer can be found through an exploration of the origin and evolution of the classical English constitution, particularly the middle branch, and how exactly the theory was thought to work when practiced in England.

I

Aristotle first gave expression to the notion of a balanced mixed government in the fourth century B.C. The Greek historian, Polybius, expanded upon it some two centuries later.<sup>4</sup> The theory is simple to understand but, as those in more modern times have learned, difficult

to achieve.

In a pure state, three basic forms of government exist: the monarch, the rule of one person, usually divinely appointed to lead; an aristocracy, the rule of an elite cadre, typically the property-owning few; or a democracy, rule of the people or at least many or more than a few. Unfortunately, as historical examples had demonstrated to Aristotle and then Polybius, the monarch left unchecked or unbridled would soon degenerate into tyranny; the aristocracy unguarded became an oppressive oligarchy; and the people left unattended, would fall into a chaotic, anarchistic, licentious mob. The remedy theorists from Aristotle forward argued, was to combine each of these elements into a single self-balancing, self-checking system, providing each with roughly equal powers and privileges, thus ensuring that each separate branch would mutually reinforce the other or check the other two against each's tendency to usurp power. Perpetual peace, social harmony and political stability, most held, resulted from this union. A government and a people fortunate enough to reach this stage, would realize near political nirvana.

## II

The theory of mixed government remained just a theory throughout later antiquity and into the Middle Ages, never placed into actual practice in any realm. Nevertheless, European writers and political thinkers including Erasmus, Machiavelli, and John Calvin venerated the notion during the course of the Renaissance and Reformation.<sup>5</sup> But it



was left to the English Tudors who, after the feudal evolution of their unique brand of limited monarchy had reached its apex with the reign of Henry VIII, to proclaim theirs a "mixt state."<sup>6</sup>

Numerous writers extolled the virtues of the English system throughout the Tudor-Stuart era, yet it was left to King Charles I during the early seventeenth century to provide a measure of legitimacy to the idea with his Answer to the XIX Propositions of Both Houses of Parliament. This key political document was supposedly written by himself and his ministers, in answer to constitutional conundrums raised by the Long Parliament in the early days of the English Civil War in 1642. The propositions outlined the various vices of unchecked power and listed the virtues of mixed government, especially "the Lords. . .[who] are an excellent Screen and Bank between Prince and People. . .assist[ing] each [of the other branches] against any encroachments of the other."<sup>7</sup> Indeed, after the Restoration of the House of Lords in 1661, both Tories and Whigs united in their belief that the role of the peerage was vital to the success of mixed government.<sup>8</sup> The Lords represented the propertied, landed element in British society and existed to protect their class's interests. Even Whig and opposition writers as diverse as John Locke, the Earl of Shaftesbury, James Harrington, Robert Molesworth, and Lord Bolingbroke, "saw hereditary status," as one English historian has observed, "as a reinforcement of propertied independence and a guard against the machinations of the Court."<sup>9</sup>

The nobility's attainment of this vaunted position had not been a recent occurrence; rather, it had gradually evolved over the course of

centuries. The origins of the English aristocracy lay deep in the feudal past, its roots traceable to pre-Norman, Frankish society. After the Norman conquest, feudalism emerged as the dominant socio-political system in England. Great landed barons and high-ranking bishops, both of which wielded much political sway, became advisors to the king and participated in the ruling of the realm.<sup>10</sup> By virtue of their exalted positions, hereditary honors and titles, a Frankish-Germanic holdover, were passed from generation to generation, legitimizing and firmly establishing their hierarchial position in the feudal order. Throughout the Middle Ages these nobles came to be viewed as an integral part of government; because of their vast land-holdings they held a vital stake in the political fortunes of the kingdom.<sup>11</sup>

Their powerful status, great wealth, and heredity, moreover, provided these aristocrats with independence--an independence that allowed them to remain nearly incorruptable and stalwart, even in the face of the most tyrannical monarchs. By the seventeenth and well into the eighteenth century, members of the House of Lords, because of their talents, positions, and responsibilities as the supreme judicial arbiters of the land and the advisory body to the monarch, were considered the equipoise of the three branches of English government, the middle spoke of the wheel, the balance weight of the constitution.<sup>12</sup> Without their mediating influence, their independence, and their wise council, as England painfully learned during the chaotic Interregnum when the House of Lords had been dissolved, the beloved constitution could easily collapse into either a tyranny of one, or

worse, England might experience the dreaded: the anarchistic, republican aspirations of the people. A strong, independent, hereditary peerage, then, seemed necessary to the harmony of government.

Throughout the seventeenth and eighteenth centuries political theorists echoed and reinforced these sentiments via their numerous writings. James Harrington in Oceana, published in 1656, included an aristocracy in his utopian scheme, housed in a senate.<sup>13</sup> John Locke, as well, in his monumental political tracts published in the 1670s and 80s, felt that the aristocracy was of paramount importance in any political society. But it was left to the great French philosophe, C. Secondat Montesquieu, to bring world-wide attention to the virtues and moderating role of the nobility in mixed government.<sup>14</sup> Published in 1748 and widely read throughout the Empire, The Spirit of the Laws praised the English constitution, as the Frenchman hailed it, "this beautiful system." To Montesquieu, the nobles embodied in the House of Lords provided the vital stability and regulation necessary to the concept of mixed government. He observed that, "the three powers. . . have a need of a regulating power to temper them [and] the part of the legislative body composed of the nobility is extremely proper for this purpose." The nobility, the French philosopher held, "ought to be hereditary."<sup>15</sup>

Colonial Americans avidly read and were influenced by English history, Whig political theory, Harrington, Montesquieu, Blackstone, and other contemporary English thinkers and European writers.<sup>16</sup> They too, of course, held a variety of perceptions regarding their unique

brand of government. The seventeenth century development and evolution of their colonial governments with a focus on the development of the all-important middle branch provides clues to American society, politics, and government as it stood a century later--a century marked by political tumult, societal upheaval, and revolution with Great Britain.

## - NOTES, CHAPTER ONE -

1. Quoted in Gordon Wood, The Creation of the American Republic, 1776-1787 (Chapel Hill, 1969), p. 11.
2. Representative examples of the deification of mixed government are numerous. A good contemporary American source can be located in the election sermons of the eighteenth century; see John Wise, A Vindication of the Government of New England Churches (Boston, 1717) and Jared Eliot, Give Cesare His Due (New London, 1738) for just two of dozens; from the secular angle the political writings of the era are inundated with examples; see William Douglass, A Summary, Historical and Political,...of the British Settlements in North-America (Boston, 1747); James Wilson, Considerations on the Nature and Extent of the Legislative Authority of the British Parliament (Philadelphia, 1774); and James Otis, Rights of the British Colonies Asserted and Proved (Boston, 1764) for just a few of the less obscure.
3. See Wood, The Creation of the American Republic, pp. 10-17.
4. Much of what follows in this chapter is drawn from Corinne C. Weston, English Constitutional Theory and the House of Lords, 1556-1832 (New York, 1965), especially, Chaps. 1 and 2.
5. See Erasmus, Education of a Christian Prince, (1516); Machiavelli's Discourses (1522); and Calvin's Institutes of Christian Religion (1536).
6. John Ponet, A Short Treatise of Politike Power (London, 1556).
7. King Charles I, His Majesties Answer to the XIX Propositions of Both Houses of Parliament (London, 1642).
8. The political rhetoric and sources are vast in supplementing this notion. For seventeenth century English political debate on the role of the House of Lords and the British polity, see The Reasons and Narrative of Proceedings Betwixt the Two Houses (London, 1679).
9. J.G.A. Pocock, The Machiavellian Moment: Florentine Political Thought and the Atlantic Republican Tradition (Princeton, 1975), pp. 513-14.
10. Allen R. Brown, Origins of English Feudalism (London, 1973), pp. 24-25.
11. For an extensive discussion of the feudal background of the English constitution, see J.G.A. Pocock, The Ancient Constitution and the Feudal Law (London, 1957).

12. Weston, Constitutional Theory, p. 3.
13. Harrington was widely read in the colonies and some of his ideas were used in formulating the constitutions of Pennsylvania, the Jerseys, and Carolina, see H. F. Russel Smith, Harrington and His Oceana (Cambridge, 1914).
14. Weston, Constitutional Theory, p. 126.
15. C. Secondat Baron de Montesquieu, The Spirit of the Laws, Franz Neumann, ed., trans. Thomas Nugent, (New York, 1949), Bk. XI, Sec. 6, pp. 161-62.
16. Ellen Brennan in Plural Office-Holding in Massachusetts, 1760-1780 (Chapel Hill, 1945) has traced the influence of Montesquieu in eighteenth century America. Trevor Colburn's The Lamp of Experience (New York, 1965) details the many and varied political histories which Americans read, and Louis B. Wright has examined colonial libraries, discovering that many Americans were quite well-read in classical as well as English political theory and history, The First Gentlemen of Virginia: Intellectual Qualities of the Early Colonial Ruling Class (San Marino, Ca., 1940), see below, Chapter Two.

- CHAPTER TWO -

THE SEVENTEENTH CENTURY STILLBIRTH

"Governments, like clocks, go from the motion men give them."

William Penn, 1681

Titles of nobility, degrees of rank, preoccupation with hereditary background, pedigree and the like are of small, if not insignificant, consequence in mostly middle-class modern America. We dismiss such displays as the procuring of coats-of-arms, and Daughters of the American Revolution genealogical forays as mere trifles practiced by quaint elders. In seventeenth century America, however, Englishmen were not so quick to reach negative conclusions. On the contrary, titles, degrees, ranks and noblemen captivated the imagination of those initial English settlers and colonizers even though the formal political and social structure of their respective societies was crude at best. The idea of noblemen symbolized institutions from the country they had recently departed.<sup>1</sup> During the ages of Shakespeare and Sir Walter Raleigh, Elizabethan social philosophers taught and preached that the decided feudal holdover of rigid class differentiation, deference, social hierarchy, and artificial degrees were all part of the accepted nature of the world and ordained by God. Only the best of the better sort, it was unquestioningly held, were fit to rule, and titles of distinction marked them as members of this favored or chosen

group. In the 1614 edition of his History of the World, Raleigh summed up this accepted philosophy when he wrote that in his infinite wisdom, "God. . .hath distinguished his angels by degrees. . .[and] hath also ordained kings, dukes, and other degrees among men."<sup>2</sup> Englishmen, quite understandably, brought this set of ideas to America, and from the members of the lower gentry who settled in the southern environs to the Puritans of New England, titles and honors were a mark of respect and status though no bona fide English peers actually settled in the New World to legitimately perpetuate them.<sup>3</sup>

Contributing to this infatuation with honors and distinction was the rise of the gentry class in late Elizabethan England. By the early part of the seventeenth century, due in part to the dramatic demographic increase of the aristocracy and gentry classes and the need for revenue in the coffers of King James I, a new set of honorific titles to be sold at a handsome price were created.<sup>4</sup> The combined demographic and economic pressures and the relative ease of social mobility in the lower gentry classes allowed more and more Englishmen to yearn for these distinctions. Hence, a spate of baronets, knights, esquires, and gentlemen emerged and flourished throughout late Stuart England.<sup>5</sup>

However, these newcomers were denied certain legal privileges, such as seats in the House of Lords--the ultimate honorific distinction--and faced, to be sure, a wide social gulf between themselves and the traditional peerage. A disgruntled Elizabethan, Thomas Smith, described in oversimplified but prescient terms the plight of the gentry and the concomitant rationalization for



colonization when he lamented that "such younger brothers as were wont to be thrust into abbeys there to lead an idle life, since that is now taken from them, must now seek some other place to live in."<sup>6</sup>

These frustrated gentry and their immediate descendants, along with the adventuresome and the down and out indentured servants, were some of the first to relocate to Virginia and later other portions of southern America. How did not only they, but other settlers in the mid-Atlantic and New England regions order and structure their political societies, particularly the all-important middle branches, in light of the prevailing view of hereditary authority but in the face of an uncivilized frontier?

## I

The Virginia government, as did most of the colonial governments, operated under a charter granted by the sovereign, that stipulated a ruling council along with an appointed royal governor. Though their functions and duties varied from colony to colony, the councils were to advise the governor on any matter of importance, assume the executive administration of the colony in his absence, and sit as the upper houses of their respective domains with the power to initiate, veto, and vote on legislation. Further, the councils had some degree of judicial power and in many colonies served as the "General Court" or supreme judicial body.<sup>7</sup> The chosen councillors usually consisted of elites selected from the higher echelons of either the English aristocracy or from those noblemen already in the colonies.<sup>8</sup> Yet few

members of the upper nobility actually emigrated to America, content instead to remain home and reap profits from investments in the joint stock companies that operated in the colonial wilderness. If a large number had emigrated and remained, the formation of a legitimate American nobility could have had a good base from which to begin. But those who did make the hazardous trek usually returned after a very short stay.<sup>9</sup>

These first council members consisted mostly of those social upstarts in England who had come to America in hopes of making a quick profit and returning. Yet despite their middling status in England, these new elites quickly ascended to the top of the frontier society and assumed political, social, and economic leadership of the colony. The majority of the population initially acquiesced and modestly deferred to this first wave of English gentry. As the historian Bernard Bailyn has noted, "Nothing could have been more alien to the [early colonial] settlers than the idea that competition for political leadership should be open to all levels of society."<sup>10</sup> And despite the fact that "Virginia's big men were a good bit smaller than England's," as Virginia historian Edmund S. Morgan has observed, their prestige and authority in the distant lands after initial problems of settlement organization were solved, nearly mirrored that of the English nobility.<sup>11</sup>

By the 1640s, the original group of English elites had succumbed to disease, and repeated Indian attacks, or had simply given up and gone back to England. It was supplanted by an indigenous, tougher, coarser, native elite which had made its fortunes off of tobacco.

These new aristocrats, if they can be characterized as such, solidified their positions through intermarriage and near permanent tenure on the colonial council. It is this stage, Bailyn argues, "that marks the emergence of Virginia's colonial aristocracy"--a native elite that remained at the top of Virginia's and later America's political, economic, and social ladder for almost the next two centuries.<sup>12</sup>

After 1640 a seat on the colonial council in Virginia, generally carried with it a life-tenure and a small clique of elites solidified its position therein.<sup>13</sup> Political leadership was considered the mark of a true English gentleman, gave the appearance the politician was a man of intellect, a natural leader. Moreover, and surely enticing, one could write "esquire" after one's name if he served on the Council.<sup>14</sup>

This was an enormous incentive to these new elites, because no legal or social distinctions existed in early Virginia only the measure of wealth, a characteristic that has hitherto historically remained a mark of an American aristocrat, and distinguished them from the thousands of other immigrants of lowly stature who poured into the colony after mid-century. Why, then, did not these frontier aristocrats institute measures to solidify their position and newly-acquired status by ennobling themselves, not only ensuring their own independency and position in the colony, but their descendants as well? To do so would have legitimized their status in the New World, and recreated, at least in part, a familiar institution in a hostile environment.

There is no doubt that this new Virginia aristocracy desired to be like its English cousins. Pedigrees could be obtained for a fee, and many were; coats-of-arms were yearned after, and the titles of

"gentleman" and "esquire" were reserved only for a man of great social and political distinction, such as those aforementioned council members.

Some of the Virginia aristocrats' library holdings illustrate just how captivating the idea of heraldry, pedigree, and titles could be to seventeenth century Virginians. York county merchant Matthew Hubbard's collections contained a copy of the English gentleman John Selden's Titles of Honors, published in 1614. The planter Godfrey Pole's holdings included among others, a peerage compiled by Ralph Brooke, A Catalogue and Succession of the Kings, Princes, and Dukes, of 1622. Ralph Wormley II also read Selden's Titles of Honor, as well as his The Privileges of the Baronage of England, (1642), and Virginia statesman Richard Lee II, thought invaluable James York's, The Union of Honor, 1640, Selden's Titles of Honor, and Richard Braithwaite's The English Gentleman, (1630).<sup>15</sup>

Though wealth and large land-holdings were the overriding marks of distinction between the better sort and the rest of Virginia society, membership in the colonial council gave the new elite the best opportunity to institutionalize its recently achieved status. By the late seventeenth century, the new councillor families viewed council seats almost exclusively as their own (but not quite), by hereditary right. Names such as Lee, Byrd, and Carter, appear on the rolls continuously throughout the late seventeenth and well into the eighteenth century. Yet traditional English honors were not forthcoming and solidification of their status was not undertaken. Why not?

Professor Bailyn suggests that by the end of the seventeenth century the council had lost most of its initial power through political alignments with the representative body, the House of Burgesses. "Increasingly," he writes, "the Council's distinctions became social and ceremonial." Power that heretofore had rested with the council members became diffused amongst the house and the office of the governor--now manned by a tougher breed sent over in the wake of the tumultuous Virginia social upheaval, Bacon's Rebellion of 1676.<sup>16</sup> The introduction of black slavery into the colony, moreover, freed more white Englishmen from the bonds of indentured servitude. Gradually over the course of the next century, these white freeholders acquired small farms and found political expression in the Assembly. Their political status and power in that body grew commensurately with their numbers.<sup>17</sup>

In addition, and of significance, the king was the only person in the Empire who could create new peers of the realm. Highly jealous of its long-manicured status, the nobility who advised the English sovereign, viewed the colonial Virginia elites as mere social upstarts. These Virginians they held, were parvenues. To suggest that their new and recently acquired wealth and resulting political power afforded these middling gentry equal stature with the English peers was at the very least, offensive.<sup>18</sup> In the eyes of the British nobility, the colonials' social status, regardless of their new found and in some cases immense wealth, remained unchanged from the date of their departure from England; they were still considered members of the lower and middle gentry.<sup>19</sup>

Robert Quarry, a sort of colonial spy employed by the Lord's Commissioners of Trade and Plantations had been dispatched to the colonies at the turn of the century to report on the conditions he witnessed. In 1703 he warned the Lords that, "The Council [in Virginia] have vanity enough to think, that they almost stand upon equal terms with the Right Honorable House of Lords. These false and pernicious notions, if not timely prevented will have a very ill consequence."<sup>20</sup> What those consequences might have been Quarry did not elaborate, but in New York, the perceptive Governor Hunter, himself facing an upstart council, warned the ministry in 1711 that if the New York Council successfully claimed the "rights and privileges of a House of Peers," they could very easily become, "a body politic coordinate with and consequently independent of the Great Council of the Realm."<sup>21</sup>

The point was obviously well-observed in England; no titled hereditary nobility evolved in Virginia, or any other colony, for that matter, during the seventeenth century, in large measure due to the political evolution and solidification of the Council's opposing check--the Assembly. In Virginia, though the elites may have pined for titles, they really did not require them to maintain their political status, as it came to be almost automatic with their accumulation of wealth. More importantly, their selfish English counterparts had no compelling desire to share their long-nurtured prestige with the new Virginia elites. What, then, of others in the developing South?

## II

If any seventeenth century colony could have fostered a colonial

nobility, South Carolina may initially have had the best chance. The Fundamental Constitutions of Carolina, the basic document upon which Carolina was founded, and perhaps the most unique document in colonial American history, provided for a local nobility to rule the colony.

Early attempts at settling the Carolina region proved unsuccessful. In 1629, King Charles I granted his attorney general, Sir Robert Heath, most of the area south of Virginia. The Heath charter eventually lapsed however, due to a lack of interest and activity in the region. This early charter is important in two aspects. First, it did make a provision for a provincial "Carolina nobility" of sorts which would assume the reigns of leadership. Heath would have full and nearly unfettered power to make laws, appoint some ministers, and "confer favours, graces. . .honors. . .titles. . .and dignities. . . upon well-deserving citizens," though he never undertook such

<sup>22</sup> activity. Second, and more important, this 1629 charter stood as a model for later frames of government, including the 1663 charter, the immediate predecessor to the famous Fundamental Constitutions of Carolina promulgated in 1669.

During the Restoration, Charles II renewed an interest in the Carolina project and granted title of the lands to eight of his loyal courtiers. Included among these was Anthony Ashley Cooper, who later became the powerful parliamentary spokesman, the Earl of Shaftsbury.<sup>23</sup> The 1663 charter contained certain feudal aspects to it, hitherto unique to colonial grants (save for the 1629 Heath charter), including a built-in social stratifier, a local nobility. When quick riches failed to materialize, however, most of the English proprietors lost

interest--most that is except Lord Ashley. Ashley with the aid of his secretary, personal physician, and confidant John Locke, set out to reorganize the fledgling society based on then fashionable Harringtonian principles of government. Harrington believed, as most of his day did, that a strong independent upper class was vital to the welfare of any society. Ashley and Locke agreed and deliberately sought to put several of the English philosopher's governmental principles, articulated in his famous utopian tract, Oceana, into actual practice.<sup>24</sup> The product of their imagination bore fruit in 1669 in the form of the Fundamental Constitutions.

The Constitutions, a most remarkable and unique colonial document, was an attempt by Ashley and Locke to institute a manorial social and political system in Carolina. The Constitutions of 1669 and their subsequent variations allowed for an elaborate, exceedingly complex hierarchical system of nobility to rule the colony. At the top of the ladder rested the eight proprietors, whom Ashley hoped he could convince to emigrate to Carolina and oversee the colony first-hand. Beneath the proprietors in status were two ranks of nobles, "landgraves" and "caciques." Their power and status as was most often the case in the seventeenth century South, was based exclusively on ownership of land. These landgraves and caciques were to play a key role in the governing of the colony, acting as magistrates and holding seats in a "Council of Nobles." Titles of nobility would be conferred upon them by the proprietors and henceforth this newly created social class, by virtue of the authority granted them and the legitimacy gained by the Constitutions, would serve as the hereditary nobility of



Carolina. In keeping with English tradition, these nobles could not be removed from their positions except by the proprietors, and they obtained numerous privileges others lower in the hierarchy did not, such as the right to trial composed only of proprietors and life-tenure.<sup>25</sup>

Yet Ashley and Locke did not fashion themselves as starry-eyed utopians and did not foresee the immediate implementation of such rigid and traditional social hierarchy on a crude, essentially lawless frontier society. Ashley only believed the Constitutions served as "the compasse [we] are to steere by," and anticipated that only after the passage of Carolina into a more stable stage could the provisions of the "Grand Model" as he often called it, be put into formal practice.<sup>26</sup> As a result, the implementation of the Constitutions remained in a flux over the course of the next twenty-five-odd years while Carolina politics grew chaotic and government authority tenuous. As one of the foremost South Carolina colonial historians has written: "For all the idealism of Shaftesbury and Locke, the proprietors had failed to create a colony that was. . . stable."<sup>27</sup>

As the governmental structure of the Carolina region came gradually to mirror those of other seventeenth century colonies, Locke and Ashley's dreams of an upper body of nobility lingered. In their correspondence and instructions to royal officials in Carolina, the Lords Proprietors often referred to the upper house as "the nobility."<sup>28</sup> Even members of the lower house, always jealous of their status, referred to the Council as a nobility in a 1698 debate.<sup>29</sup> Later in the same year after Governor Blake received instructions from the



## III

Of those colonies formed in the mid-Atlantic area, the Catholic proprietary haven of Maryland offered the best opportunity for the practical establishment of a local, landed hereditary aristocracy. As had been the case with Virginia to the south, members of the lower gentry class migrated to Maryland from England. A squirearchy of sorts, based entirely on property-holding, developed and was given a form of feudal legitimacy based on the early charter granted to the patron and first proprietor of Maryland, Lord Baltimore.<sup>32</sup> The charter allowed him the privilege "to conferre favours, rewards, and honors, upon such inhabitants within the Province. . .as shall deserve the same; and to invest them, with what titles and dignities soever as he shall thinke fit." However, in this last regard, Baltimore was warned that the titles could not "be. . .such as are now used in England."<sup>33</sup> This last tacked on caveat as one historian has observed, rendered these provisions, "a mere nullity."<sup>34</sup>

Due in large measure to the chaotic nature of early Chesapeake social development, few individuals within early Maryland could meet the three required traits England had set forth as basic criteria to serve on the Council. According to royal instructions, council members had to be "men of good life and well affected to [the king's] government and of good estates and abilities and not necessitous persons or much in debt."<sup>35</sup> Thus in Maryland, as well as other seventeenth century settlements, finding enough members to meet the requirements and form a respectable council proved a difficult task.<sup>36</sup> Not until the early eighteenth century was a stable council formed from the most wealthy of society materialize in Maryland.<sup>37</sup>

The colony suffered extensively from a high turnover rate of councillors in its formative period. Death, departure, and removal from their positions for disloyalty, not an uncommon malady in Catholic Maryland, each took their toll and contributed perceptibly to the instability and ineffectiveness of the Calvert family government. In addition, by mid-century, most of the councillors appointed by the proprietary family were Catholic, but were drawn from an increasingly Protestant constituency. Naturally, much resentment resulted and the governor's advisors received little of the respect their elitist counterparts in other colonies had come to take for granted. A nobility, or a noble class cannot, of course, exist if it does not have the respect and admiration of the great majority of the population. The landed class in Maryland, especially those who sat on the Council did not engender such feelings from the general population.

A concerned Lord Baltimore correctly gauged the decline in respect of the people and witnessed for himself the ineffectiveness of the Council. In 1637 he attempted to press the Assembly to establish some form of hereditary aristocracy. The Representatives would have no part of it, and this attempt withered nearly as immediately as Baltimore's endeavors to elevate the status of his council in 1666 by forcing them to "wear habits, medles or otherwise," in order that "some distinction or distinctions might be drawn" between the Council members and the general population.<sup>38</sup> The proprietor failed to understand that only over the course of time and through the accumulation of vast estates and political power could the infant Maryland aristocracy increase its position in the eyes of the populace. Indeed, during the

latter stages of the seventeenth century, particularly after the tough, prerogative-minded royal governor Francis Nicholson arrived in 1694, certain members of the Council, through a series of intermarriages and accumulation of money and land, finally began to solidify their hold and reputation on the office and reach the same type of status as their counterparts in other colonies.

Yet a high price had been exacted for this new found stability. The Maryland Council throughout the eighteenth century consisted of a majority of strong crown supporters, men who would support royal policy no matter how unpopular even when facing, as they did later in the century, a powerful and vocal assembly made up of local interests. To gain much of its stability, the governor's advisors had had to barter away much of its original power contained in the charter with the Assembly. A seepage of real political power into the lower house had resulted in the years after 1689 and the Council, despite gaining political stability and some degree of respectability, sat as figureheads in eighteenth century Maryland, its independence curtailed by strong gubernatorial and prerogative ties.<sup>39</sup> The independence guaranteed by a titled status, the tangible political power and influence that followed, were lost by the Maryland Council because of the realities of provincial politics and a one sentence clause in the original charter; the by-product that resulted: a nobility that could have developed and made its presence felt, never reared its head.

The constitutional structure of the mid-Atlantic province of Pennsylvania made no provision for a nobility embodied in the upper house of the government. Nevertheless, the social structure of the Quaker stronghold was, for a time, ripe for the evolution of one.

The driving force behind the settlement of the colony was William Penn, described by a recent Pennsylvania historian as "essentially a conservative thinker, committed to a political order based on property."<sup>40</sup> Penn envisioned a political system which upheld "all reasonable distinction and. . .civil degrees that are amongst people," and on at least one occasion longed for a Pennsylvania such as "of old time [when] the Nobility and Gentry spent their estates in the country and kept the people in it."<sup>41</sup>

Penn's early drafts of the Pennsylvania constitution, which he entitled: "Frames of Government," reflect his conservative thinking. In his initial draft of early 1682, the Quaker proprietor created a system where the governor would be assisted by a two-chamber parliament. The upper chamber, similar to the House of Lords, would contain the large landholders of the province (5,000 acres or more). These "lords" as Penn styled them, would hold their seats for life with their positions devolving to their male heirs.<sup>42</sup>

In later drafts, Penn changed his mind with regard to his miniture House of Lords. Thomas Rudyard, a close advisor, persuaded Penn to rethink his constitution, because so few men of sufficient wealth had migrated to Pennsylvania and the many vacancies in his seventy-two man upper house. Moreover, Rudyard argued that such an aristocratic flavor would "reflect on us as a people who affect Granduire beyond our

pretensions, and sett up that in state polity which our religious Capacity we have struck against beyond any people whatsoever." The aristocratic scheme had best be scrapped, Rudyard urged. Penn agreed and in subsequent frames stripped the Council of its hereditary and titled trappings and some of its legislative power as well.<sup>43</sup>

In spite of the Quaker proprietor's and later his successor's attempts at creating a strong, aristocratic council balanced against a representative assembly, the Council during Pennsylvania's first twenty years--the last twenty of the seventeenth century--developed into a quandary of chaos and instability. Much like Maryland to the south, the Pennsylvania Council experienced a drastic turnover rate in membership. Eighty-seven men served on the eighteen-man Council between 1681-1701, greatly affecting the continuity, stability, and reputation of the initially powerful middle branch.<sup>44</sup> Penn, although tempering its power from the first draft of his constitution, still succeeded in draping his advisors with relatively strong power--power their counterparts in other colonies had not yet achieved, or had realized early on but had bargained away.<sup>45</sup>

Unfortunately for the gentlemen who composed the Council, much like its Maryland counterpart, it had to compromise much of its chartered power to the Assembly.<sup>46</sup> A body that had originally owed its position to election from a small group of landholders, had been reformed by those in England wishing to stabilize the faltering system. By the turn of the century, membership on the Council had become an appointive position. Allegiance was owed not to Pennsylvania freeholders but to the proprietor and ultimately the crown. By 1701

Pennsylvania's council had fallen from its original lofty constitutional position; it spent much of the eighteenth century unsuccessfully attempting to regain its lost stature. Mimesis of a nobility in the Quaker provinces of Pennsylvania and later an offshoot, Delaware, had fallen by the wayside.<sup>47</sup>

# V

Precarious is too mild a description of the early political history of the two Jerseys, West and East. The rampant political instability, combined with an inconsistent land policy, and a polygot population of French, Dutch, Germans, Scots, and Quaker Englishmen, afforded little chance for a landed, titled nobility.

After several early Dutch forays into the area, Charles I granted the vaguely defined region of what is mainly now present-day New Jersey to a court favorite, Sir Edmund Plowden and his associates. Little is known of Plowden; he made no attempt to colonize, but after his one and only visit to America he began to style himself: "Earl Palatine," and had visions of turning his proprietary into a feudal fiefdom replete with "noble knights." <sup>48</sup>

Plowden's plans never materialized and it was left to a new group of proprietors in the 1660s to undertake the task of colonizing and framing a government. In East Jersey the proprietors' chief goals were economic, and to ensure simple and efficient government, oddly enough, they modeled their constitution on the complex Fundamental Constitutions of Carolina, calling them the "Concessions and



Agreements." The document, promulgated in 1665, was a facsimile of the Lockean prototype but divested of its cumbersome built-in nobility provisions. As of then, no members of the gentry had bothered to emigrate; only a few small farms dotted the region. The Concessions and Agreements remained intact until 1702 when the two regions were combined and became a royal colony. Between their drafting in 1665 and the turn of the century, the Concessions went through numerous reforms, none of which included a provision for the elevation of the status of the elite.

Meanwhile, tumult rocked the prevailing governments due in large part to the lack of any appreciable upper class in the polity and because of an incoherent land distribution system on the part of the numerous revolving proprietors. Moreover, the population, like Carolina's and Maryland's, was diverse and faction-ridden.<sup>49</sup> Thus, prevalent conditions in East Jersey did not lend themselves to the creation of even a localized aristocracy, let alone a province-wide, formal nobility.

Much the same occurred in West Jersey, which by the 1670s had become a Quaker stronghold controlled largely by the Penn proprietary. To attract settlers to that region a liberal constitution, the "Concessions and Agreements of 1677," was framed, creating a large, powerful assembly and a small, relatively impotent appointive council.<sup>50</sup> It, too, was revised several times prior to the turn of the century, with no provision of a nobility ever included. West Jersey experienced similar problems vis-à-vis land as did East Jersey, only it was much easier to acquire in the western colony. Small farms

characterized the area and the great landed plantations that marked the south never developed. By 1702 the crown and the proprietors had tired of the turmoil and agreed that the Jerseys be combined and transformed into a royal colony with the characteristic appointive upper house. The proprietors suggested to Queen Anne that she use care in her appointment of the initial councillors, because if no qualifying restrictions were placed on the appointments "those Persons of best Estate in ye Countrie and ye Proprietors Interests would be at ye disposall of ye tag, rag, and Rascallity," that made up the preponderance of the New Jersey population.<sup>51</sup>

## VI

The Dutch originally settled a portion of the Hudson Valley in the 1620s and 1630s, but were usurped by the English in 1664. During this Dutch period a quasi-feudal society arose around the peculiar Dutch entity of the patroon--roughly translated as "lordship"--based on ownership of land. Little historical data has been unearthed dealing with the politics of the patroon era, but the reigning patroon or lord was assisted by an appointive council whose members as a symbol of their office were invested with a silver-plated rapier with a baldric, as well as a black-hat complete with a plume. No titles, however, were ascribed to these men and what influence and position they held is not known.<sup>52</sup>

After the English takeover British New York began as a proprietary colony under the auspices of the Duke of York, the immediate heir to

the crown; it remained in that status until he assumed the throne in 1685. At that time New York automatically became a royal colony.

Status in seventeenth century New York, political and otherwise, was based almost exclusively on land ownership. A manorial neo-feudal society arose along the Hudson in the 1670s and 1680s, supplanting the old Dutch patroonships. Powerful manorial landlords held great sway for a time in and around their vast domains, jealously guarding their relatively immense power. This early New York aristocracy lived on its manors, in fine European tradition, and by virtue of their social position, its members were legally guaranteed seats in the General Assembly, but not on the Council.<sup>53</sup> Nevertheless, as one New York historian has recently observed, "with the establishment of. . .

manors, New York was now set on the road toward a legally stratified society."<sup>54</sup> These lordships and baronies were passed on to the eldest sons through the decidedly feudal holdover of primogeniture and entail. No other colonial society could boast of the ready-built legal stratification that emerged in the Hudson Valley. Southern and central New York, it would seem, would have been more than suitable for the development of an American nobility.

In spite of their lofty positions, the manorial lords' grasp on the New York political society was not as solid as one would think. By the turn of the century, due in part to steady legislative predation on their legal privileges and power--predation encouraged by the envious and increasingly expanding heterogeneous population, by near-continuous agitation from their landed tenants, by disgruntled, sometimes rebellious landless newly-arrived Englishmen, by proponents of land

reform in the Assembly, by local governments, and by New Englanders infringing upon New Yorkers' lands--the manorial lords increasingly lost their early political base, and their economic and social sway.<sup>55</sup>

Thus, what initially appeared as an excellent opportunity for the rise of a provincial nobility, turned once again to failure. New York politics by the mid-eighteenth century, partially as a result of the precarious position of the elite, became factious, disjointed, and chaotic.<sup>56</sup>

## VII

The settlement and development of a regional elite in New England centers on the most studied of all the English colonies, Massachusetts; though the other provinces, Rhode Island, Connecticut and New Hampshire, though they did take they lead from the Puritan oligarchy of the Bay Colony, should not be forsaken to a Massachusetts myopia. Could a provincial nobility have flourished in these areas? The answer is yes, it could have, but the fact remains that hereditary authority did not arise, although by the turn of the century, as was the case in all the colonies, a land-owning, as well as a merchant class elite, was in place in all the upper political echelons of the New England colonies.

From Nova Scotia to Connecticut, enterprising members of the English gentility cast their eyes toward early settlement in New England. They clearly designed to found feudal domains in order to enlarge their dwindling estates and rule over a utopian empire.<sup>57</sup> Chief

among these land hungry, frustrated members of the lower nobility was one Sir Ferdinando Gorges. His designs toward the New World were representative of others of similar circumstances.

Gorges, known as "the grand old man" of American exploration and promoter of early New England colonization, envisioned a feudal domain in northern America.<sup>58</sup> Gorges's New England, much like those later feudalistic adventures to the south, would have been in his own words, "divided into Counties, Baronies, Hundreds and the like," with "Lords of Counties" holding the appropriate title of "Lord" as rulers.<sup>59</sup> For lack of sound financial backing, however, Gorges's dream never materialized; if it had, New England might well have become a feudal society dominated by a transplanted Stuart nobility.<sup>60</sup>

By the 1620s some of the displaced English Puritans had begun making settlement inroads in the Massachusetts Bay area, eventually necessitating the formation of a governing body. Puritan government, is exceedingly complex.<sup>61</sup> Puritan ideas of nobility, however, and its role in their world can provide answers as to why no titled aristocracy developed in Massachusetts--an absence that would radically affect the eighteenth century political developments in the Bay Colony, widely characterized as the seedbed of the American Revolution.

The Puritans, as did all seventeenth century English colonists, brought with them well-formulated ideas of the place of rank and privilege in society. The English Puritans, as opposed to other, more secular groups, looked to an aristocracy of church eldership, an oligarchy as some historians have termed it, for leadership.<sup>62</sup> Their ministers, however, warned their flocks not to be fooled by the

sometimes misleading grandeur that enveloped those of noble birth and blood. Thomas Adams, a Puritan father who remained in London, warned his English listeners in 1625 to be wary in their choice of future leaders because:

It is a reverend thing to see an ancient Castle or Palace not in decay; or a faire tree, sound and perfect timber. But as foule Birds build their nests in an old forsaken House, and [decayed] trees are good for nothing but the fire; so the decay of Virtue is the ruine of nobilitie. . . .Let me see one virtue in a man alive, then all the rest in his pedigree dead.<sup>63</sup>

His message was clear and echoed by others, the condition of church membership, of the aristocrat's soul, and his commitment to the Puritan religious goals and theology, were much more important than pedigree, blood lines, or titles of nobility. Moreover, one of the fundamental characteristics of Massachusetts Puritan government, the election of members to governmental positions, would determine who ruled and who did not.<sup>64</sup> As a leading Puritan, John Cotton, explained in 1636, "Though we [might] receive [nobles] with honour and allow them preeminence and accommodations according to their condition. . . .we do not ordinarily call them forth to the power of election. . . .until they be received as members into some of our churches."<sup>65</sup>

This line of thinking presented certain problems and dilemmas for the Puritan conscience. Despite their rigorous and disciplined theological upbringing and exhortations to the contrary, Puritans, like other Englishmen, were enamored with social eminence, titles, and lords, especially if they combined their social prominence with Puritan orthodoxy.<sup>66</sup> But to the Massachusetts oligarchy hereditary honors were

one thing, hereditary authority quite another, and they strove to jealously guard the electoral process in New England.<sup>67</sup>

This problem was acutely felt in 1636 when two prominent English Puritans, Lord Say and Lord Brooke, both peers and members of the House of Lords, contemplated emigrating to Massachusetts if certain conditions were first met. They wanted an assurance from the Massachusetts elders that their hereditary distinction, dignity, and authority would accompany them to the New World. The two lords demanded "that the commonwealth should consist of two distinct ranks of men. . . gentlemen. . .and freeholders," and "that the first rank, consisting of gentlemen, should have power, for them and their heirs, to come to the parliaments or public assemblies and there give their free votes personally; the second rank. . .by their deputies."<sup>68</sup>

Cotton and the other elders, after much consternation, deliberation, and debate, stood firm. True, he replied in the name of the Puritan community, "two distinct ranks we willingly acknowledge, from the light of nature and scripture; the one of them called Princes, or Nobles, or Elders (amongst whom gentlemen have their place), the other people." Cotton contended that "hereditary dignity or honors we willingly allow to the former unless. . .they become degenerate."<sup>69</sup> Cotton obviously walked a tightrope; he desired their aristocratic presence in New England, as men of such stature could lend credibility to the Puritan adventure. He chose his words carefully: "Hereditary honors both nature and scripture doth acknowledge," he noted, and "where God blessth any branch of any noble or generous family, with a spirit and gifts fit for government, it would be taking of God's name

in vain to put such a talent under a bushel." Yet, he added, "if God should not delight to furnish some of their posterity with gifts fit for magistracy" it would not be proper "if we should call them forth, when God hath not, to public authority." The colony would be more than happy to elect the gentlemen to governmental office, but hereditary privilege could not be abided. The two lords took the not-too subtle hint, and decided to stay in England.<sup>70</sup>

Thus the Puritan oligarchy side-stepped the necessity of a hereditary nobility amidst their presence. A council of magistrates, or advisors to the governor would be annually elected in Massachusetts by those representative deputies in the Assembly, both houses combined would make up the General Court, the prime legislative body in the colony. Throughout the many constitutional peregrinations and political vicissitudes of the later seventeenth century, among them the revoking of the original Massachusetts charter in 1684 by the crown, the despotic Governor Andros regime, and the equally ill-fated Dominion of New England, the election of the councillor body, unique among American colonial governments, remained intact in Massachusetts until the Massachusetts Government Act of 1774 took away its elective status and left the councillor seats as appointive positions by the crown.<sup>71</sup>

The constitutional development of the other New England colonies, New Hampshire, Connecticut, and Rhode Island, with the exception of the elective council, was heavily influenced and nearly mirrored that of Massachusetts. Like the Bay Colony, and all of the other American colonies, a hereditary nobility failed to materialize there.

In Rhode Island, the receptacle, as one contemporary put it, "of



all sorts of riff-raff people. . .and. . .the sewer of New England," the Puritan dissident Roger Williams fostered radical ideas of social equality not tolerated in Massachusetts Bay.<sup>72</sup> The societal development of Rhode Island reflected this somewhat radical philosophy. As in all of New England, town government played a crucial role in colonial affairs and decision-making. In Rhode Island nearly from the outset of colonization the towns were extremely potent forces. As a result, seventeenth century Rhode Island political history was marked by the colonial government trying to wrest power away from the towns. No large landowners, or wealthy merchants emerged until well into the eighteenth century and thus could not dominate the political scene as they had in other colonies. Simply put, Rhode Island's pattern of political development, easily the most chaotic of all the colonial governments, could not and did foster any hope of the formation of a provincial nobility.<sup>73</sup>

Similarly Connecticut, has been hailed by many scholars as the most democratic of all the original British New World possessions. This was due in large measure to the elective nature of its political offices and provisions for a strictly representative government, both facets borrowed from its Massachusetts neighbor, and embodied in its popular-based constitution, the Fundamental Orders, published in 1638.<sup>74</sup>

Early settlers were drawn from those Massachusetts Puritans dissatisfied with the overly repressive society or from restive, adventuresome souls lured by the promise of good farming in the virgin Connecticut Valley. Though some wealthy families emerged, early

Connecticut for the most part was made up of yeoman farmers and no real distinctions of wealth marked the social order of the colony.<sup>75</sup> As the leading colonial Connecticut historian, Richard Bushman, has noted, "class distinctions blurred and the ruling families at the top merged imperceptibly with the people in posts of lesser dignity directly below;. . .the lines that distinguished one man from another were indistinct." <sup>76</sup>

After receiving its formal charter in 1662, the elective provisions of the Connecticut Council were abolished, and like all other colonies (except Massachusetts), Connecticut's councillors were henceforth appointed by the crown. Nobility had had little chance in this quasi-democratic stronghold.

Until the late 1670s, New Hampshire remained tethered to Massachusetts and under its political jurisdiction. Much like Connecticut and Rhode Island, New Hampshire in its infancy had no identifiable elite. In 1679 the home government decreed that New Hampshire would thenceforth become a royal province with all the features that had come to mark royal governments, namely an appointed governor, council, and elected representative assembly. By the eighteenth century, however, a wealthy elite had made its fortune in white pine timber and had reached the upper echelons of New Hampshire politics, particularly council membership.<sup>77</sup> Throughout the eighteenth century, New Hampshire politics were controlled by the influential Wentworth family, and by the middle decades the New Hampshire Council had become a powerful patronage tool for the chief executive. Members of the governor's immediate family as well as other wealthy provincial

families, served on the Council throughout the Wentworth's tenure. Thus a self-perpetuating nobility without titles or independence had developed in colonial New Hampshire. Limited in influence however, the Council was never able to command the respect or win prestige from the majority of the population, nor was it able to influence the lower house.<sup>78</sup> Thus, though the elites perhaps gave the superficial appearance of a colonial nobility, under the surface they served as mere pawns of the various royal governors and could never command the respect required to be thought of by others as noblemen.

## VIII

In seventeenth century New Hampshire, indeed in all of New England, and in all of colonial America, utopian feudal societies collapsed or were simply stillborn, mainly because of the inability of a primitive America to sustain such adventures. In every colony the demographic base was either too small to support such ideas, or the population too diverse to acquiesce in schemes such as those proposed by John Locke. The sophistication of these utopian dreams and feudalistic aspirations were much too complex for a frontier populace effectively to implement.<sup>79</sup>

As a result of these collapses, a titled hereditary aristocracy failed to materialize in colonial America, its constitutional role filled by various men of various means. By the eighteenth century the legitimacy of these parvenues, pawns, and increasingly, those sent from England to sit in the upper houses, British placemen, created a crisis

of legitimacy in the various provinces. The councils could not and did not provide the necessary constitutional check on the other two branches, due to its lack of independence by virtue of its prerogative appointive status, or as the case in Massachusetts, its elective nature, owing its allegiance in that case, to the Assembly. Moreover, the favorable economic conditions that blessed colonial America, blurred societal distinctions. For many, especially those who had known or experienced at least a modicum of prestige and dignity in England, or for those Anglicized Americans who cherished English traditions, this blurring represented a serious deparature from English standards.<sup>30</sup> As the eighteenth century progressed and the political societies of most of the colonies took shape, they disconcertingly seemed to be becoming more chaotic, more faction-ridden, more unmanageable, particularly when viewed from the governor's and ultimately the crown's perspective. Many observers, both in the colonies and Great Britain, pointed to the constitutional bastardization of the council--a bastardization that had begun in the seventeenth century and continued into the eighteenth--as a source for the growing tension and problems that characterized imperial relations after mid-century, and especially after 1763. Mixed government, theory-obsessed Englishmen both in America and England argued, required the three traditional branches, equal in power, and mutually checking each other, in order for perfection, harmony, and stability to be realized. The American political system had been born flawed, and the flaw was traced by many observers to the nature of the American royal councils.

## - NOTES, CHAPTER TWO -

1. Winthrop Jordan, White Over Black: American Attitudes Toward the Negro, 1550-1812 (Chapel Hill, 1968), pp. 45-46.
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7. James Anderson, "The Governor's Councils of Colonial America: A Study of Pennsylvania and Virginia, 1660-1776," Ph.D. dissertation, University of Virginia, 1967, p. 1; Warren Billings, ed., The Old Dominion in the Seventeenth Century: A Documentary History of Virginia, 1606-1689 (Chapel Hill, 1975), p. 42; Bernard Bailyn, "Politics and Social Structure in Virginia" in Smith, ed., Seventeenth Century America, p. 91.
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9. See Charles Andrews, The Colonial Period of American History (New Haven, 1938), Vol. II, pp. 216-21 for a description of these members of the English gentry.
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11. Edmund S. Morgan, American Slavery, American Freedom: The Ordeal of Colonial Virginia (New York, 1975), p. 143.
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13. Billings, ed., The Old Dominion, p. 42.
14. Louis B. Wright, The First Gentlemen of Virginia, p. 54.
15. Ibid., pp. 139, 143, 202, and 231. Also see William Fitzhugh's letters in the Virginia Magazine of History and Biography, Vols. 1-3, 1893, 94, and 96 (Richmond, Va.), passim, for the infatuation evinced by at least one member of the Tidewater aristocracy for peerage, hereditary, titles, etc.
16. Bailyn, "Politics and Social Structure," p. 112.
17. For an exhaustive analysis of the political role of the Virginia council in the seventeenth and eighteenth centuries, including an examination of their diminution of real power, see Anderson, "The Governor's Councils of Colonial America," pp. 1-39.
18. Carole Shammas, "English-born and Creole Elites in Turn-of-the-Century Virginia," in Thad Tate and David Ammerman, eds., The Chesapeake in the Seventeenth Century: Essays on Anglo-American Society (Chapel Hill, 1979), p. 279. Also see Martin Quitt's overview of the Virginia aristocracy in his unpublished paper, "From Elite to Aristocracy: The Transformation of the Virginia Ruling Class" and Charles Sydnor, Gentlemen Freeholders (Chapel Hill, 1952), pp. 60-74.
19. Shammas, "English-born and Creole Elites," p. 277.
20. "Colonel Quarry's Memorial to the Lords Commissioners of Trade and Plantations on the State of the American Colonies, June 16, 1703," in Massachusetts Historical Society Collections, Vol. VII, 3rd Ser. (Boston, 1838), p. 233.
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22. The full text of the charter can be found in Mattie Parker, ed., North Carolina Charters and Constitutions, 1578-1698 (Raleigh, 1963), pp. 64-73. Quotation is from p. 70.
23. For a biographical description of Shaftesbury and all the other early Carolina proprietors, see William S. Powell, The Proprietors of Carolina (Raleigh, 1963).
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27. Ibid., p. 55.
28. See their instructions of March 3, 1686, May 13, 1691, and February 10, 1704, contained in A.S. Salley, ed., Commissions and Instructions from the Lord Proprietors of Carolina to Public Officials of South Carolina, 1685-1715 (Columbia, S.C., 1916), pp. 36, 27, and 180 respectively.
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39. Ibid., pp. 82-83. See also Greene, The Quest for Power, passim.
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41. Ibid; William Penn, Some Account of the Province of Pennsylvania (London, 1681), in Albert C. Myers, ed., Narratives of Early Pennsylvania, West Jersey, and Delaware, 1630-1707 (New York, 1912), p. 205. See also Anthony N.B. Garvan, "Proprietary Philadelphia as Artifact," in Oscar Handlin and John Burchard, eds., The Historian and the City (Cambridge, 1963), pp. 177-201, for an encompassing analysis of Penn and his various utopian visions.
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43. Quoted in Ibid., p. 37; p. 38. Also see William Shephard, History of Proprietary Government in Pennsylvania (New York, 1896), pp. 228-29, for a discussion of Rudyard's position.
44. Anderson, "The Governor's Councils," p. 41.
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72. Quote is from Johannes Megapolensis and Samuel Drisius, in Carl Bridenbaugh, Fat Mutton and Liberty of Conscience: Society in Rhode Island, 1636-1690 (Providence, 1974), p. 3; Andrews, The Colonial Period in American History, Vol. II, pp. 20-21.
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-CHAPTER THREE -

THE EIGHTEENTH CENTURY ROYAL COUNCIL

Our forefathers in framing the Constitution of this Coun[try], had in view the excellent pattern furnished by the Mother Country; But unhappily for us my brother, it is an exterior semblance only, when you examine separately the parts that compose this government; essential variations [emerge] between it, and the happily poised English constitution. Let us place the two in comparative points of view, and then the difference will be striking. In Britain the three simple forms of Monarchy, Aristocracy, and Democracy, are so finely blended; that the advantages resulting from each species separately flow jointly from their admirable union. The King tho' possessing the executive power of government, with the third of the legislative, and the House of Commons, representing the democratic interest, are each prevented from extending improperly prerogative or popular claims, by a powerful body of nobles, independent in the material circumstances of hereditary succession to their titles and seats in the second bench of the Legislature. Thus you see of what essential importance is the House of Lords in the British constitution, and how happily their independence is secured. With us, the legislative power is lodged in a Governor, Council, and House of Burgesses. The two first appointed by the crown, and their places held by the precarious tenure of pleasure only. That security therefore, which the constitution derives in Britain from the House of Lords is here entirely wanting and the just equilibrium totally destroyed by two parts out of three of the Legislature being in the same hands.

Richard Henry Lee to brother Arthur Lee, December 20, 1766

The annual election [of the Council] is the canker-worm of the Constitution of this Government.

Massachusetts Royal Governor Francis Bernard to Lord Shelburne,  
1768

By the eighteenth century, most colonial Americans revered the English system of mixed government. Most would agree with Boston physician and political philosopher William Douglass's assesment that "the concurrence of the three forms of government seems to be the highest perfection that human civil government can attain. . .I should call it a Trinity in Unity."<sup>1</sup>

How accurate was this statement in its American setting, in light of the seventeenth century failure to transplant the second branch of this glorious form of government to the New World? How reflective was it of the political situation that had evolved by the mid-eighteenth century? The answers to these questions require an analysis of the theoretical constitutional role of the governor's council in eighteenth century America as well as its functions in the English mixed government paradigm. Then an examination of the political realities and problems caused by the lack of a titled nobility in the councils can be focused upon. Some of the political instability that afflicted many of the colonies on the eve of the Revolution can be then better gauged.

## I

Americans, one recent scholar has argued, "did not begin to concern themselves with the nature of the British constitution until the 1720s."<sup>2</sup> Yet, the virtues of mixed government had been espoused

since well before the Glorious Revolution in England in the 1680s. Politicians, journalists, and clergymen all sang paens of praise to the virtues of mixed government.<sup>3</sup> Even the radical Sons of Liberty who organized to resist the Stamp Act in 1765 and 1766, summed up the thoughts of most Americans before 1776 in their outspoken conviction of "the Superior Excellence of the English constitution to that of any other form of Government upon Earth."<sup>4</sup>

Most saw the source of perfection emanating from the balance provided by the perpetual check each of the branches imposed on the excesses of the others--a check that would ensure tranquility, everlasting harmony, and political stability. Most Englishmen, Americans included, believed that the historically tested theory had ensured the success of the British government during its various constitutional crises of the seventeenth century. They felt the nobility provided the shock absorber, the screen between the democratic element and the monarch, the balancing spoke of the wheel. Many observers also noted that without the nobility, the balance would be upset and either tyranny or licentious anarchy would result. With that constitutional vitiation a form of political slavery would soon follow and English political liberties would face extinction. It made good sense, then, as the respected philosopher and physician Dr. Samuel Johnson pronounced, that the colonial constitutions "should be as near as possible, the same with another. . .and conformable to that of the mother."<sup>5</sup>

The theory required that a stalwart group of independent, landed gentlemen assume vital positions in the second branch, the colonial

council. Governors were ordered by royal instructions to choose wealthy, loyal colonists for the council positions.<sup>6</sup> In the seventeenth century, governors had had a hard time fulfilling these provisions; men of good life, loyal to the king and not in debt, were rare. By contrast, however, in the eighteenth century the wealthy and propertied had multiplied and dominated the membership of the councils.

Yet as Professor Bernard Bailyn has shown in his seminal work, The Origins of American Politics, what Americans thought preserved in their governments by theory--the harmonious checks and balance provided by the idealistic operation of mixed government--was in reality tenuously ensured by other factors. Royal governors, whose political careers rested on the stability and efficiency of their respective domains, took the lead from eighteenth century English political culture and controlled their colonial governments through an informal system of patronage politics. Emulating the precedents set by the powerful Whig Prime Minister, Sir Robert Walpole, who ruled during the 1720s, 30s and 40s, royal governors quelled, at least momentarily, the most egregious forms of political strife, turmoil, and factionalism, by use of patronage, political bargaining and the like. Thus, stability, harmony, and political tranquility rested not on the aegis of theory, but rather on the ability of the governor to effectively manipulate those diverse elements in his administration, namely the colonial assemblies and councils. If the governor was skilled and crafty, he could ensure, or at least give an outward appearance to the British ministry at Whitehall, that his administration was stable and he was doing an effective job. But as Bailyn also notes, American politics

though perhaps resembling the mother country's on the exterior, drastically differed on the interior.

By the later eighteenth century, governors, for a variety of reasons, found they could not control, or "corrupt" in the eighteenth century phrase, the bodies over which they ruled as effectively as their English counterparts. Except perhaps for council members and other minor officials, who owed their positions directly to the governor who appointed them, governors, for the most part, operated with limited patronage. Political turmoil, and the dreaded factional, party-spirited nature of American colonial politics, as a result, plagued most colonial administrations after mid-century.<sup>7</sup> The many problems inherent in the royal councils of the eighteenth century contributed substantially to this "chaotic factionalism," as Bailyn describes it, that emerged on the eve of the Revolution.<sup>8</sup>

## II

During the 1760s numerous political leaders and thinkers began noticing fundamental problems in the American mixed governments. Their basic constitutional structure was not, to be sure, a replica in miniature of England's. They were not in fact balanced nor mixed. The king's vicegerent, was indeed present in the person of the royal governor, a direct representation of the monarchical branch. And the democratic element--the Assembly--made for a tangible facsimile of the House of Commons. But the shock-absorbers in the middle, the councils, embodying the aristocratic portion of the colonial governments, seemed

to have degenerated and had interests either indistinguishable from the colonial assemblies or had become pawns of the crown; their role and function in providing balance did not seem equal to that of the House of Lords.

How had the councils reached such a state? More importantly, was their growing ineffectiveness in ameliorating the increasing turmoil between popularly elected assemblies and staunchly prerogative-minded governors an actual cause of colonial political strife, particularly after 1763 when Britain became more imperially active toward her American colonies? Or was their presence and independence vital at all?

Throughout the eighteenth century political commentators noted England's failure to create strong, independent royal councils. This lack of independency had led to problems in the second branch, especially with their dealings with governors, who by royal instruction, could veto their positions on the council and dismiss them for even slight indiscretions. Writing in 1747, William Douglass of Boston noted that "there are Inconveniences in the Constitution [regarding the Council]; they may be Intimidated by the first Negative, the Governor, as he has a Power of negating any Councillor's Election without adducing Reasons;. . .thus, they appear not to be free agents."<sup>9</sup>

With an impotent council in his pocket, some felt that the governor could operate unchecked, devising whimsical schemes to enrich or reduce his colony to political slavery. The idea of this defect became more pronounced in the 1760s and 70s when colonists, recently



versed in traditional Whig opposition thought or "country" ideology, were taught to be on the lookout for arbitrary, despotic power. Maryland opposition leader Charles Carroll made his readers aware of this fact in a 1773 essay in which he warned that "the government is almost independent of the people. . .and every day gain[s] some accession of strength; we have no intermediate state," he lamented, "to check its progress: the upper house, the shadow of an aristocracy, being composed of officers dependent on the proprietary and removable at pleasure, will, it is feared, be subservient to his pleasure and command."<sup>10</sup> How this stage had been reached in America can be easily ascertained, given the nature of the governor's orders, his position in the Empire and the politics he was required to play.

Royal governors were prescribed by their orders to appoint councillors "well affected to the government," in other words, strong men whom the governor felt would support the royal prerogative. These council members, thus owed their positions entirely to the governor, except in Massachusetts where they were annually elected by the House of Representatives. Many sided with the governor on issues of significance and as a result disaffected their counterparts in the lower houses of assembly.<sup>11</sup> By the 1760s royal governors and councils in most colonies were pitted against opposition strongholds, the assemblies. Imperial officials could only observe this factionalism and affix blame on the governor.<sup>12</sup> Customs official William Knox directed his thoughts toward this situation in 1775. "A middle estate has indeed been formed," he wrote, "called his Majesty's Council, by way of apology for an aristocratic power, to act in the double capacity

of a branch of the legislature (the upper house), and Privy Council to the Governor." "The influence of this body however," he continued, "is too inconsiderable to give the Crown or its Governor any effectual support."<sup>13</sup>

The governor's position was somewhat untenable. To appoint men of opposition ilk would not only go against his instructions, but endanger his position regarding the Assembly, as he did not want to strengthen it by any means. In that the governor could not control the colonial political machinery as satisfactorily as did his English counterparts and given the fact that he had only limited patronage to utilize, his only recourse was to search out loyal prerogative allies, even at the risk of upsetting the vaunted balance.<sup>14</sup>

Compounding the governor's councillor dilemma was the imposition of English and in the case of some southern colonies, Scottish placemen to fill council seats.<sup>15</sup> Throughout the eighteenth century, council seats and other appointive posts such as judgeships, sheriffs, and attorney generalships, had provided the crown with a limited source of patronage.<sup>16</sup> As a result, the colonies were besieged by imperial officials, usually necessitous lower aristocrats, who sought to enrich their private estates through the service on the various councils, particularly those in the southern colonies where in some cases their membership reached as high as forty percent of the total.<sup>17</sup>

But more important than patronage, placemen were sent to the colonies in the late 1740s and 50s after a series of political and social explosions had rocked the New World governments and had led many in the ministry to conclude that the Americans were incapable of

self-rule. The colonial historian Jack P. Greene reports that:

During the late 1740s and early 1750s. . . violent factional disputes had thrown New Jersey into civil war, put an end to all legislative activity in New Hampshire and North Carolina, and seriously weakened the position of royal administration in Jamaica, Bermuda, and New York. From New York, South Carolina, New Jersey, Bermuda, Jaimaca, North Carolina and New Hampshire--from all the royal colonies except Massachusetts whose problems were beginning to surface, and Virginia, Barbados, and the Leeward Islands--governors complained that they were powerless to carry out imperial directions against the opposition of local interests.<sup>18</sup>

The appointment of placemen, many hoped, would remedy this volatile situation. Though they did initially stabilize the English home government by pacifying disgruntled opposition members in England, placemen had the opposite effect in America. The presence of these loyal prerogative men deprived the governor of a much-needed source of local patronage--patronage in many instances used to reward and influence wealthy and influential members of the colonial community and sway recalcitrant native elites to the crown position. And, moreover, these "parliamentary beggars," as one English historian has referred to them, denied those aspiring, ambitious members of the colonial aristocracy, those considered during the eighteenth century by both themselves and members of the lower classes as the natural leaders of society, positions on the council. These positions the American elite had come to traditionally view as its by traditional right.<sup>19</sup> Placemen were loathed by these native elites and were a source of constant irritation among the Americans who viewed them as intruders. Native South Carolinian councilman, William Drayton, complained in 1774 that

"Placemen dependent upon the Crown, being Strangers ignorant of the interests and laws of the Colonies, are sent from England to fill seats in [the] Council."<sup>20</sup> Furthermore, the mere presence of these intruders engendered not only feelings of anger and hostility on the part of the native colonial elite, but after time, feelings of deep-seated inferiority.

For an inter-colonial aristocracy that had stabilized itself since its rather turbulent seventeenth century inception, a seat on the council, even though it might have meant bowing to the wishes of a sometimes less-than-universally respected royal governor, did afford the elites some measure of provincial societal status and was generally accepted as the mark of a competent political ruler.<sup>21</sup> In addition, by aspiring to competency, and by achieving self-rule, those of the upper strata could look with pride at the success they had achieved at Anglicizing themselves--becoming more like their English cousins.<sup>22</sup> Reports of political turmoil that reached the ministry, they asserted, were usually blown out of proportion or productions of the imagination of conniving court favorites who aspired to lucrative positions within the Empire. The colonial governments, it was argued, had also displayed a remarkable capacity for the resolution of internal conflicts and therefore placemen were wholly unnecessary.<sup>23</sup>

The introduction of royal office-jobbers also violated the long-standing tradition of "salutary neglect" practiced by the British government toward the colonies. Ever since the downfall of the Dominion of New England in the 1690s, Britain, for the most part, had left the governing of the colonies, except in the appointment of royal

governors, to locally elected assemblies and councillors appointed from the native aristocracies. These aristocrats had experienced a dramatic increase in wealth and social status during the first decades of the century.<sup>24</sup> Placemen, thus, flew in the face of colonial expectations, detracted from the local elites' self-esteem, and fostered a sense of inferiority among colonial aristocrats. John Adams's emotional rumination in 1774 exemplifies this feeling. "We are not men, fit for the Times. We are deficient in Genius, in Education, in Travel, in Fortune--in every thing. I feel unutterable Anxiety."<sup>25</sup>

Because of this rising disaffection, the introduction of British officials into the councils had the opposite and unintended effect of alienating many of the American elites from the prerogative position and driving their loyalties toward those expressed by the colonial assemblies. These assemblies were reflecting the opinions and views of country ideology, held by a growing mass of their constituency. A balanced constitution with a strong, competent (but virtuous) elite, was a tenet of this burgeoning ideology and placemen were increasingly viewed as royal usurpers, greedy officials sent by a scheming ministry.<sup>26</sup> Inclinations of inferiority became more hostile and the merging of councillor interests with those of the assemblies became nearly colony-wide by the 1770s, except where those councils were dominated by royal placemen.<sup>27</sup>

Yet what other path could the British ministry have taken? Placemen who backed strong prerogative governors could help provide an important enforcement mechanism for the new imperial measures contemplated in the 1750s and 60s.<sup>28</sup> Doing nothing, on the other hand,

in the face of either perceived or real political instability would have sent a signal to the colonists that they were indeed competent rulers and could continue self-rule, no matter what the situation. But that option could not be countenanced; the Americans were like wayward children, as the popular metaphor went, and had to be supervised at every step by the omnipotent parent.<sup>29</sup> To do nothing would be to imply competency in the face of inefficiency, or worse, equality with the always-efficient and correct mother country. Equality, naturally, to stretch the metaphor further, would soon lead to thoughts of independence.

One can deduce from this extension of logic why no significant proposals came from Britain in these pre-Revolutionary years to create an independent American nobility to bolster the councils. An American nobility would have meant that Americans, parvenues at best, social barbarians at worst, might very well believe themselves to be on the same footing as the venerable peers of the English Empire. In the early to mid-eighteenth century, this was unthinkable in most circles. By the 1760s and 70s however, when Anglo-American problems had been strained to their limit, officials both in America and later in Britain began to second guess the wisdom of their philosophy. American observers, loyalists and opposition alike, searched for various measures to relieve the building tension. Placemen sent to stabilize the colonial governments had not really seemed the solution; they had, if anything, exacerbated the situation. American mixed governments had become indelibly flawed and needed repair. Even more important, the most influential men in the colonies, the wealthy, home-grown but

alienated American aristocracy--respected men who, if catered to, might support the royal prerogative instead of opposing it--needed to be brought back to the fold. Enticements of baronets, knighthood and esquires might prove the answer.

NOTES, CHAPTER THREE

1. Douglass, A Summary, Historical and Political, Vol. I, p. 214.
2. Lawrence Leder, Liberty and Authority: Early American Political Ideology, 1689-1763 (New York, 1968), p. 86.
3. See John Wise, A Vindication of the Government of New England Churches (Boston, 1717), Samuel Willard, A Compleat Body of Divinity in Two Hundred and Fifty Expository Lectures on the Assembly's Shorter Catechism (Boston, 1726), The American Magazine, 1740/1 (Philadelphia, 1740/1), and John Adams, "Notes for an Oration at Braintree, 1772," in Lyman Butterfield, ed., The Diary and Autobiography of John Adams (Cambridge, 1961), Vol. II, pp. 57-60 for a few of the many, favorable expositories on the virtues and benefits of mixed government. A variety of prominent historians have detailed the theory of mixed government as it related to the colonies. For recent overviews, see Wood, The Creation of the American Republic, pp. 16-18; Lance Banning, The Jeffersonian Persuasion: Evolution of a Party Ideology (New York, 1978, pp. 21-53; Bailyn, Ideological Origins, pp. 70-77 and Origins of American Politics, pp. 20-24.
4. Quoted in Pauline Maier, "The Beginnings of American Republicanism 1765-1776," in The Development of a Revolutionary Mentality, Library of Congress Symposia on the American Revolution, (Washington, 1972), p. 100.
5. Quoted in Frederick Stone, "Plans for the Union of the British Colonies of North America, 1643-1776," in Hampton Carson, comp., History of the Celebration of the One Hundredth Anniversary of the Promulgation of the Constitution of the United States (Philadelphia, 1889), p. 483.
6. See above, Chapter Two. In pre-revolutionary South Carolina, the policy was carried out to the letter. "In practice," as Eugene Sirmans writes, "the Board of Trade paid scant attention to intangibles like reputation and character. Instead it emphasized the extent of a prospective councillor's estate and the quality of his affection to the Crown." "In effect," he continues, "it asked two questions about a nominee for the council: Is he a man of wealth and prominence in the colony? Can we trust him to support our policy?" Eugene Sirmans, "The South Carolina Royal Council, 1720-1763," William and Mary Quarterly 3rd, 17 (July, 1961), 373. Also see Richard Waterhouse, "South Carolina's Colonial Elite: A Study in the Social Structure and Political Culture of a Southern Colony, 1670-1760." Ph.D. dissertation, The John Hopkins University, 1973, for an overview of the South Carolina Council and the politics it practiced, and Jackson Turner Main, The Upper House in Revolutionary America, 1763-1788



(Madison, 1967), passim, for a discussion of the eighteenth century American councils in general.

7. Jackson Turner Main, The Social Structure of Revolutionary America (Princeton, 1965), p. 212.
8. The preceding discussion has drawn heavily from Bailyn's Origins of American Politics, Chaps. II and III, though Bailyn has been frequently and successfully challenged on numerous points concerning certain aspects of his thesis. Recently, William Pencak in War, Politics, and Revolution in Provincial Massachusetts (Boston, 1981), has shown that the termination of the various British colonial wars was vital in allowing royal governors to quell factional disputes in their respective colonies, particularly Massachusetts. Bailyn's contention, now over twenty years old, that political factionalism resulted from the inability of royal governors to control their administrations after mid-century is tempered by such recent scholarship.
9. Douglass, A Summary, Historical and Political, p. 486.
10. Charles Carroll, Correspondence of "First Citizen" Charles Carroll of Carrollton and "Antilon" Daniel Dulany, Jr., 1773, ed., Elihu S. Riley, (Baltimore, 1902), p. 218.
11. Main, The Upper House, p. 197.
12. See below, Chapter Four, for the problems one royal governor suffered along these lines.
13. William Knox, Extra Official Papers, Vol. II, pp. 20-21 (Courtesy of the Houghton Library, Harvard University, Cambridge, Massachusetts).
14. Bailyn, Origins of American Politics, Chap. II, passim, discusses the governors' various problems involved in patronage and political maneuvering.
15. See Sirmans, "The South Carolina Royal Council," 373-392, and Bernard Bailyn and John Clive, "England's Cultural Provinces, Scotland and America," William and Mary Quarterly 3rd, 11 (1954): 200-214.
16. Bailyn, Origins of American Politics, p. 74.
17. Figures are for English royal governors, not councilmen. It must be presumed that the percentages for councillors were similar. Figures quoted in James Kirby Martin, Men in Rebellion: Higher Governmental Leaders and the Coming of the Revolution (Rutgers, 1973), p. 161.
18. Jack P. Greene, "An Uneasy Connection: An Analysis of the Preconditions of the American Revolution," in Kurtz and Hutson,

- eds., Essays on the American Revolution, p. 68.
19. Sir Louis Namier, The Structure of Politics at the Accession of George III (London, 1929), p. 402.
  20. William Drayton, Letter from Freeman of South Carolina (Charleston, 1774), pp. 9-10. Also see Martin, Men in Rebellion, pp. 23-61 and Main, The Upper House, pp. 3-47 for descriptions of placemen in early America.
  21. Much of the preceeding discussion is encapsulated from two profound articles on the relationship and attitudes fostered by American elites in the British Empire on the eve of the American Revolution: Robert Weir, "Who Shall Rule at Home: The American Revolution as a Crisis of Legitimacy for the Colonial Elite," Journal of Interdisciplinary History VI, 4 (Spring, 1976): 679-700 and Greene's, "An Uneasy Connection," cited above, n.18.
  22. The phenomenon of Anglicization took many and varied paths in the developing colonies, and has received an abundance of recent historical examination. See Murrin, "Anglicizing an American Colony," and his other writings for the most comprehensive exponents. Greene writes in his article, "Search for Identity: An Interpretation of the Meaning of Selected Patterns of Social Response in Eighteenth Century America," Journal of Social History III, 3 (Summer, 1970), that: "Conditions of life in new and relatively inchoate and unstable societies at the extreme peripheries of English civilization inevitably created deep social and pyschological insecurities, a major crisis of identity, that could be resolved, if at all, only through a constant reference back to the one certain measure of achievement: the standards of the metropolitan center. The result was a strong predisposition among the colonists to cultivate idealized English values and to seek to imitate idealized versions of English forms, institutions, and patterns of behavior," pp. 205-6.
  23. Greene, "An Uneasy Connection," pp. 38-40.
  24. Martin, Men in Rebellion, Chap. 1; Jackson Turner Main, "Social Origins of a Political Elite: The Upper House in the Revolutionary Era," Huntington Library Quarterly 27 (November, 1963): 147-148; Weir, "Who Shall Rule at Home:" 679-700; Carl Bridenbaugh, Cities in Revolt: Urban Life in America, 1743-1776 (New York, 1955), pp. 348-49; and Palmer, The Age of the Democratic Revolution, Vol. I, pp. 50, 69, 176, 194, and 195.
  25. Butterfield, ed., Adams, Diary, Vol. II, p. 97.
  26. English opposition ideology is best given expression by Bailyn, The Ideological Origins of the American Revolution, passim; David Jacobsen, ed., The English Libertarian Heritage (New York, 1965), Caroline Robbins, The Eighteenth Century Commonwealthmen (London,

- 1959), and Pocock, The Machiavellian Moment, Chap. 4.
27. See Jack Greene, The Quest for Power, passim and Waterhouse, "South Carolina's Colonial Elite," pp. 314-15.
28. Greene, "An Uneasy Connection," pp. 42-43.
29. This metaphor has been used by both contemporaries and many historians to describe the eighteenth century Anglo-American relationship.

- CHAPTER FOUR -

REMEDIES AND ENTICEMENTS

The Delinquency in the Council is become so general, that it is not in the power of the Governor to correct it by Negatives. . . .The Reformation of the Council must now be made.

Francis Bernard to Secretary of War, Lord Hillsborough, 1769

In the early summer of 1764, Francis Bernard, esquire, the incumbent royal governor of Massachusetts, a figure described by one historian as "an English gentlemen of third-rate abilities," penned one of his numerous pieces of correspondence to the British ministry on the state of government in the Bay Colony.<sup>1</sup> Contained in this particular letter, addressed to his wife's cousin, the influential Lord Barrington, a member of Parliament and Secretary of War, was an extended essay the governor had written in the spring entitled, "Principles of Law and Polity, Applied to the Government of the British Colonies in America."<sup>2</sup> Bernard had gotten wind of impending imperial reform and new revenue-generating measures contemplated in Great Britain for implementation in the colonies within the year. The governor was not philosophically opposed to some degree of colonial reform and reorganization. Indeed, during the first several years of his administration (he had come to the office in 1760), when he was not jousting with the influential Otis Family over provincial politics, he

spent a great amount of time and spilled a copious amount of ink musing over various notions of how the British government might reform and reorganize the economic, political, and social structure of her colonial holdings. However, before some form of parliamentary taxation should take place, he strongly felt that a general reorganization of the American governments, particularly in his domain, must first occur. Several years previously he had written to Lord Barrington that, "A new establishment of the governments. . .in America," should first be undertaken to ensure that the various polities rested "upon a true English constitutional bottom." "New England," he urged, was "the proper place to begin" the process.<sup>3</sup> The basic colonial policy of salutary neglect that Britain had practiced throughout the eighteenth century had to be restructured to ensure maximum efficiency with a minimal degree of trouble. Minds such as Bernard's could be put to good use, especially since he had witnessed first-hand the daily operation of one of the Empire's most important colonial holdings. In the spring of 1764 with this reformation in mind, Bernard presented his research to the ministry in the form of ninety-seven detailed propositions which he entitled, "Principles of Law and Polity."

Not many of the governor's ideas were remarkably new or original. "The Sovereignty of Great Britain is in the King of Parliament," he wrote, "The King in Parliament is sole and absolute Sovereign of the whole British Empire," and so on.<sup>4</sup> In a later proposition, however, he anticipated the key issue of the looming Stamp Act imbroglio: "The Parliament of Great Britain. . .has a right to. . .impose taxes upon its subjects in its external dominions, although they are not

represented in such Parliament." But after three years in America, Bernard was quick to add that "A Representation of the American Colonies in the Imperial Legislature is not impracticable," and would benefit Anglo-American relations.<sup>5</sup>

But it was the propositions he numbered eighty-six through eighty-nine that proved the most profound and far-reaching of any and thus merit considerable attention. They read:

There is no government in America at present, whose powers are properly balanced; there not being in any of them a real and distinct third legislative power mediating between the king and the people, which is the peculiar excellence of the British constitution. The want of such a third legislative power adds weight to the popular, and lightens the royal scale, so as to destroy the balance between the royal and popular powers. Although America is not now, (and probably will not be for many years to come) ripe enough for a hereditary nobility, yet is now capable of a nobility for life. A nobility appointed by the king for life, and made independent, would probably give strength and stability to the American governments as effectually as a hereditary nobility does to that of Great Britain.<sup>6</sup>

Lord Barrington received Bernard's letter and accompanying proposals later in the summer and promptly showed the letter to Lord Halifax, the Secretary of State, "who admire[d] it greatly, and sa[id] it was the best thing of the kind he ever read." Barrington was persuaded that Lord Hillsborough, soon to become Secretary of War, would, "not give it less commendation."<sup>7</sup>

The governor fancied his plans as "a refined stroke of policy" and anxiously awaited his orders home so he could provide expert guidance as to the fine points of reorganizing America.<sup>8</sup> Yet despite the favorable impressions Bernard's plans made on the Secretary of State

and others, the governor did not at that time receive the ticket home for which he so desperately yearned. The ministry had gotten involved in other aspects of imperial reform and after a shifting of personnel, Bernard's plans were set aside.<sup>9</sup> This served only to fuel Bernard's prolixity. Undaunted, the governor's ninety-seven principals, especially his scheme for an independent American nobility, remained a central portion of his political philosophy and a foremost object of his many letters to England during his American tenure until his recall in 1769. Two obvious points beg answering: Why had Bernard (and shortly thereafter others) come to this position, and what became of these ideas?

# I

It would be convenient to explain away Governor Bernard's proposals as mere follies engineered by a British courtier designed to catch the eye of his superiors in Great Britain. True, Bernard did want to make himself known in British ministerial circles in order to work his way up the imperial hierarchy. However, the governor was in fact ardently patriotic and did sincerely desire to facilitate the smooth operation of the colonial governments, especially his own, if for no reason than to shed favorable light on his position. But to do so he first had to completely rehaul the constitution of the Massachusetts government.

The Bay Colony's political system had evolved no differently than any other colony's, except in one aspect--an aspect that would plague

Bernard until his departure in 1769 -- and that provided the basis for his ideas of American nobility. In all of the other American governments the council had become an appointive position to be filled by men chosen by the governor and approved (usually automatically) by the Privy Council in Great Britain.<sup>10</sup> This was not the case in Massachusetts however, where the Council was a body elected by the House of Representatives, sitting with the outgoing Council, a holdover from the Puritan tradition of the early seventeenth century and validated by the Massachusetts Royal Charter of 1691. The governor could pre-emptorily negate their election, but he could not choose his own members.<sup>11</sup>

During the early stages of the eighteenth century the Council usually aligned itself with the governor as other colonial councils had done.<sup>12</sup> The chief executive, moreover, held the power to appoint councillors to other lucrative and influential provincial posts, among them judgeships and the attorney generalship.<sup>13</sup> Bernard's predecessors had skillfully used these appointments to make up for the loss of patronage that resulted from the election process. But early in his administration Bernard had blundered when he appointed the multiple office-holding Thomas Hutchinson to the position of chief justice. In the process, Bernard incurred the wrath of the powerful Otis family, of which the patriarch, James, Sr., had been previously promised the position by a former royal governor. Henceforth, the Otis-controlled opposition in the House of Representatives--an opposition recently groomed in country ideology, and increasingly stiffened when confronted with new parliamentary taxation or other prerogative measures, now



battled the governor at every turn.<sup>14</sup>

As the ranks of this opposition swelled, the annual election of the Council began to reflect its increase. From the Stamp Act Crisis of 1765, to the Massachusetts Governing Act of 1774, when Parliament belatedly reorganized the provincial Council, the House repeatedly elected a preponderance of councillors who were, if not outright hostile to Bernard, were at least sympathetic in some degree to the opposition. Bernard had the right to dismiss councillors whom he deemed unfavorable or undesirable and he did so with alarming and ultimately debilitating frequency. At one point in 1769, when public opinion had polarized against the governor due to his support of royal policies, the governor and Assembly could agree on only sixteen of the necessary twenty-eight councillors.<sup>15</sup>

After the 1768 election in the midst of the Townshend Crisis, Bernard lamented to Britain that, "The Council [has] suffered so great a change that they don't appear to be the same persons and I can no longer depend upon them for that Assistance which I have been used to expect and often to receive from them in support of the . . . Crown. [They feel] that it is high time that they should take care of their interests with the prevailing Party of the People." "To govern without an effective council," he contended was "to make bricks without straw."<sup>16</sup> Not only was Bernard forced to govern with limited advice, but his actions vis-à-vis the Council signaled to the ministry a growing ineffectiveness of Bernard's regime. The ambitious and determined governor expended much effort, however, trying to remedy the situation.

## II

Beginning with his 1764 treatise, "Principles of Law and Polity" and not ending until his 1769 departure, Governor Bernard feverishly and unsuccessfully tried to persuade the ministry to solve the flaw in the Massachusetts government. Time and again he complained to Britain that: "The Government is weak and impotent to an amazing degree." Moreover, "the popular scale [is] so much weightier than the Royal, that it require[s] Address and Management and frequent temporizing to preserve a Tolerable Balance."<sup>17</sup> "A fatal ingredient in the Composition of this Government," he remonstrated, "has been the making of the King's Council annually elective," because, "the annual election of [the Council] is the canker-worm of. . .this Government."<sup>18</sup>

In March of 1768 he complained to the ministry of "the constitutional imbecility of the Council." Later in the year he informed Lord Hillsborough that it was the "melancholik truth that this Government. . .will never recover until some amendment is made in the Constitution [stabilizing] the Council." Shortly thereafter in another letter to Hillsborough, and while mired in the midst of the controversy over the quartering of British troops in Boston, Bernard felt sure the province teetered on the verge of anarchy and that, "The Council, who are themselves the creatures of the peple, will never join the Governor in censuring the overflowings of Liberty." Bernard's solution had remained unchanged since 1764: Britain should create an independent upper house composed of an American nobility.<sup>19</sup>

Outlined many times, Bernard's scheme varied little throughout his tenure. "Counsellors in character," he explained, "Must be. . . prudent men," which Bernard's in Massachusetts definitely were not. Only the wisest, the wealthiest, and those most loyal to the crown could be considered for such a high distinction. But choosing men for a nobility was "delicate business," and "some [present councillors]. . . must be positively excluded." Exactly who those were, Bernard had a hard time saying because, "To enter into Distinctions of Persons is a difficult and disagreeable Task." <sup>20</sup>

After much consternation, Bernard decided at least that, "Gentlemen settled and estated in the Province," should be appointed, "avoiding those who are seen as strangers here." "To enhance the[ir] value," moreover, "it may be proper," he conjectured, "to allow a Title to the Members of the Upper House, such as Baron prefixed to their name, which is no more than a Lord of a Manor in England has a right to." Bernard's American peers would therefore not tread on or threaten the long-established English peerage. The governor himself had "no appetite for honors" but when offered a Baronet from the ministry he did not hesitate in accepting it (at Hillsborough's expense), feeling it "will probably strengthen my hands in the Service of the Government."<sup>21</sup>

Bernard eventually formulated a list of twelve potential noblemen which read like a virtual who's who of New England loyalists. Among the lucky candidates were the governor's staunchest allies, including the plural office-holding lieutenant governor, Thomas Hutchinson, the Provincial Secretary and the original Stamp Act duties collector, the

unpopular Andrew Oliver, the new chief justice, Peter Oliver, other wealthy merchants, and some eminent but recently deposed Council members.<sup>22</sup>

Unfortunately for the beleaguered governor, Bernard's plans were never seriously considered in Parliament until 1774 when the Massachusetts Governing Act, part of the Coercive Acts, stripped Massachusetts of its right to annually elect the Council and installed instead a royally appointive mandamus council.<sup>23</sup> By this juncture, however, the reconstruction of the colonial socio-political structure was among the least of the ministry's worries, as new debates on the propriety of further taxation and impending military deployments took precedence.

As for Governor Bernard, after facing overwhelming opposition to British policy he was forced to uphold for nearly six years, the ministry finally recalled him in 1769 under the pretext of advising them ostensibly on colonial affairs. He left Massachusetts in disgrace in July, 1769, after having been in effect impeached by the House of Representatives by a vote of 109-0 for his role in the quartering of troops in Boston and other political blunders during the previous years. Knighted in Britain for his troubles, "the roast-beef of a man" as one historian has portrayed him, continued to agitate unsuccessfully for colonial reform. His private correspondence, favoring an American nobility was not published until 1774 and it was only then that Americans learned of his schemes. However, they generated little response from an American populace caught up with other more pressing problems than those proposed by a long-forgotten English gentleman of

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third-rate abilities.

### III

Plans for an American nobility were not confined to those formulated by Governor Bernard. In the 1760s numerous officials in the colonies began correctly identifying the flawed constitutional structure and urged similar measures along Bernard's lines.

Bernard's lieutenant governor, Thomas Hutchinson, who was appointed governor in 1770 after his predecessor's departure, vacillated on the issue. In 1769 he wrote a colleague that, "I am not desirous of a change in the Constitution. I have not been so much provoked as the Governor (Bernard) has been. . .[as] I have attachments to the old modes and customs." Yet in 1770 when he faced the same unruly and unmanageable Council Bernard had faced, his position altered somewhat.<sup>25</sup>

After coming to office, Hutchinson wrote the ministry urging that the king thereafter appoint the Massachusetts councillors. As a result of this variation the Council could then become, "rather serviceable to the Governor." In addition, to gain favor with the most influential members of the New England community, Hutchinson believed that although places and titles in the colonies were not hereditary, many of the wealthy and their descendants had "done worthily and had some claim to be distinguished."<sup>26</sup> Andrew Oliver, the Massachusetts Provincial Secretary and a member of Bernard's "junto," in 1770 wrote to the ministry in direct, straightforward language:

If there should be a reform of any of the colony charters with a view to keep up the resemblance of the three estates in England, the legislative council should consist of men of landed estates....There is no way now to put a man of fortune above the common level and exempt him from being chosen by the people into the lower offices.<sup>27</sup>

"For remedy," Oliver suggested that, "an order of Patricians or Esquires be instituted, to be all men of fortune, or good landed estates." These patricians, he believed, "would rank above the body from which they were taken, they might bear a title one degree above that of esquire." Men of "character and reputation" would thus be distinguished, government would be "more respectable," and in turn produce a "healthful constitution of the whole [governmental] body."<sup>28</sup>

Nor were the advocates of a colonial nobility confined solely to the boundaries of the Bay Colony. Writing from Maryland in 1770, British visitor and nobleman William Eddis wrote that, "had an order of nobility been created. . .at an early period it would most assuredly have greatly tended to cherish a steady adherence to monarchical principles. . .[because] inattention to principles of such importance has gradually given birth to sentiments totally repugnant to the genius of our most excellent constitution [namely] a republican spirit."<sup>29</sup>

From New York, an antagonist to the outspoken opposition essayist, Alexander McDougall, anonymously published the pamphlet entitled, The Dougliad. In it the writer placed the blame for most of America's troubles with Britain on the fact that "an August peerage," which "forces a Barrier between the Prince and the People," and forms an "impregnable Bulwark," against "perdition, does not obtain, with its due Weight in the Royal Colonies. . . ." "God forbid," he bemoaned, "that we should ever be so miserable to sink into a Republic!" Rather,

"let us hope," that "with the increase of Numbers and opulence," we aspire "to a perfect copy of that bright original, which is the Envy and Admiration of the World. . . .With their offices. . .why need we despair of so desirable an event!" <sup>30</sup>

New York governor William Smith also recognized the American constitutional defect; he, like several others of the Revolutionary era suggested a remedy in the form of a colonial union of all the American governments. <sup>31</sup> Smith's union would "consolidate. . .all these little continental Parliaments (i.e., the various assemblies, councils, and governors) into one." "A Council of at least twenty-four members," he explained, "appointed by the Crown with a House of Commons consisting of Deputies. . ." would "meet as the Parliament of North America. . . ."

"The Number of the Council," he continued, "may depend upon the Royal Pleasure; but to preserve their Independency they ought to be Men of Fortune, and hold their places for Life; with some honorable Distinctions to their Families, as a Lure to prevent the office from falling into Contempt." <sup>32</sup>

Sir Egerton Leigh, a British placeman serving on the South Carolina council, expressed similar opinions in an essay on the colonial political structure. He wrote:

A body of. . .Counsellors. . .appointed by the King from the first rank of the People, most distinguished for their Wealth, Merit, and Ability, would be a means of diffusing a considerable influence through every order of Persons in the Community. . . .This body. . .ought to be made independent, by holding that station during the term of their natural lives. . . .The Life-Tenure. . .would sufficiently secure that Independency which is so necessary. . .and so agreeable to the Constitution of the Parent-State.

Leigh added that, "When time shall ripen and make us Independent, we may aspire to Dukedoms and pant for Lordships."<sup>33</sup>

Not until the mid-1770s however, did officials in Great Britain take heed. The English nobleman Sir John Dalrymple, in his pamphlet, The Address of the People of Great Britain to the Inhabitants of America, published in 1775, explained to Americans that "every honour of this Country is open to you." "We would even be happy," he added, "to seek you ask the establishment of a nobility, and of ranks among yourselves."<sup>34</sup>

Not every Englishman, though, shared Dalrymple's desire. Writing from New York, the fierce loyalist, Thomas Bradbury Chandler, scoffed at the thought of Americans sharing in English honors. In his 1775 broadside aimed at the Continental Congress, Bradbury left few of his thoughts to imagination:

The way being thus prepared, by an entire demolition of the authority of Parliament over the Colonies, and by a diminution of that of the King; the next part of the plan is, to make provision for enlarging the authority and dignity of the members of Congress and some of their friends. . .an American House of Lords is in agitation; in which the members must have the same rights, privileges, and honours, which the English constitution has given to the members of the House of Lords. . . .They must continue for Life; . . .their rights and titles must descend to their heirs. . .forever and ever. These must, I suppose, be the same Orders of the American nobility, that belong to the English; and then none can dispute or question, that the gentlemen of the Congress will have a right to the highest order.<sup>35</sup>

"I am ravished and transported at the foresight of this American grandeur," he continued, "Oh! how we shall shine with Dukes of America!



There will be no less than fifty-three of them. . . ." "The Committees of Correspondence," he sardonically concluded, "will furnish us with marquises; and the Committees of Observation with Earls. The Viscounts may consist of Heros that are famed for their exploits in tarring and feathering; and the barons, or lowest order, of those whose merit has been signalized in burning such pamphlets as they are unable to answer."<sup>36</sup>

Not until 1774, during debate on the reform of the Massachusetts government, did members of Parliament voice their mild concern over the absence of an American nobility. "I would wish to bring the constitution of America as similar to our own as possible," announced Lord George Sackville, "I would wish to see the council of that country similar to a House of Lords in this." During the same debate, the Prime Minister, Lord North, echoed Sacville's sentiments.<sup>37</sup>

The fruits of their debate, the Massachusetts Governing Act, which contained a provision for a royally appointed council, proved entirely ineffectual and generated open, sometimes violent, animosity in Massachusetts and other colonies. What the various advocates of a colonial hereditary nobility--from a lukewarm Parliament all the way down to lowly Governor Bernard--had failed to gauge, was the effects of a new radical political philosophy on the collective political and social conscience of Americans. For hitherto commonly accepted ideas of artificial distinctions, ranks, titles, privilege, and inequality based solely upon birth were directly antithetical, even outright hostile to the burgeoning ideology of republicanism. Neither an English king nor an American nobility could survive in its wake.

NOTES, CHAPTER FOUR

1. Edward Channing, A History of the United States (New York, 1912-1925), Vol. 3, p. 4.
2. Americans did not learn of these propositions until 1774 when a compilation of Bernard's letters entitled, Select Letters on the Trade and Government of America and the Principles of Law and Polity Applied to the American Colonies (London, 1774) were published and distributed in the colonies.
3. Bernard to Lord Barrington, December 15, 1761, in Edward Channing and Archibald Coolidge, eds., The Barrington-Bernard Correspondence and Illustrative Matter, 1760-1770 (Cambridge, 1912), p. 44.
4. Bernard, Select Letters, p. 71.
5. Ibid., p. 80. Also see Edmund S. Morgan, The Stamp Act Crisis: Prologue to Revolution 2d. (New York, 1962), pp. 19-35.
6. Ibid., p. 83.
7. Channing and Coolidge, eds., Barrington-Bernard Correspondence, p. 81.
8. Quote is from Bernard Bailyn, The Ordeal of Thomas Hutchinson (Cambridge, 1974), p. 88. Bernard bombarded the ministry with requests to return both before and after this episode. Several examples illustrating his desperation are contained in his Select Letters. For his earlier requests see, Bernard to Charles Townshend, May 18, 1763, Bernard Papers, II: 60-62, and to Lord Shelburne, July 25, 1763, Bernard Papers, II: 84-85. All references to the Bernard Papers are courtesy of the Houghton Library, Harvard University.
9. Bailyn, The Ordeal, p. 87, n. 19.
10. See above, Chapter Three.
11. See above, Chapter Two.
12. Brennan, Plural Office-Holding, p. 15.
13. Ibid., p. 18.
14. Hutchinson, History, Vol. III, pp. 63-64. John J. Waters has detailed the background to the Otis-Hutchinson/Bernard rivalry, including the chief justiceship incident in his, The Otis Family in Provincial and Revolutionary Massachusetts (Chapel Hill, 1968), pp. 110-83.

15. William Whitmore, The Massachusetts Civil List for the Colonial and Provincial Periods, 1630-1774 (Albany, 1870), pp. 63-63. Also see Francis Walett, "The Massachusetts Council, 1766-1774: The Transformation of a Conservative Institution," William and Mary Quarterly 3rd, 6, (October 1949): 605-627.
16. Bernard to Lord Hillsborough, September 9, 1768, Bernard Papers, VII: 29.
17. Bernard to Lord Barrington, November 23, 1765, Chandler and Coolidge, eds., Barrington-Bernard Correspondence, p. 94.
18. Quoted in Brennan, Plural Office-Holding, p. 82; Bernard to Lord Shelburne, March 5, 1768, Bernard Papers, VI: 275.
19. Francis Bernard to Lord Shelburne, March 12, 1768, in Francis Bernard, Letters to the Ministry from Governor Bernard, General Gage and Commodore Hood (Boston, 1769), p. 12; Bernard to Lord Hillsborough, November 14, 1768, in Bernard, Copies of Letters, p. 16; also see Bernard to Richard Monk, December 23, 1768, Bernard Papers, VII: 245.
20. Bernard to Richard Jackson, May 15, 1769, Bernard Papers, VII: 292; Bernard to Lord Hillsborough, February 4, 1769, Bernard Papers, VII: 134-37.
21. Ibid., 138; Bernard to Lord Hillsborough, January 26, 1769, Bernard Papers, VII: 129.
22. The other nine consisted of three annual House rejectees: John Cushing, Edmund Trowbridge, Benjamin Lynde; and Thomas Flucker, Nathaniel Ropes, Timothy Paine, James Russell, Benjamin Lincoln, and Thomas Hubbard, then current Council members. The list was written as a postscript to Bernard's February 4, 1769 letter to Lord Hillsborough and dated February 14, 1769, Bernard Papers, VII: 140.
23. Thomas Hutchinson to Israel Williams, May 6, 1769, in Williams Papers, Courtesy of the Massachusetts Historical Society, Boston Massachusetts. See David Ammerman, In the Common Cause: American Response to the Coercive Acts (Charlottesville, 1974) for the politics behind the formulation of these policies.
24. Characterization is in Hiller B. Zobel, The Boston Massacre (New York, 1970), p. 6. For an overview of the numerous political problems Bernard encountered between 1760-1769, see my unpubl. paper, "Besieged, Belittled, and Besmirched: The Political Misfortunes of Sir Francis Bernard, 1760-1769," University of Montana, 1985. Concerning his knighthood, Bernard and his administration, already deeply mired in controversy, received further criticism from the Boston press for his acceptance of the honor. In May of 1769 the Boston Evening Post sarcastically congratulated the governor: "Your promotion, Sir, reflects an

honour on the province itself: An honour which has never been conferred upon it, since the thrice happy administration of Sir Edmond Andros, of precious memory who was also a baronet." This was a blatant reference to the most hated governor outside of Bernard, ever to reside in New England. Quoted in O.M. Dickerson, comp., Boston Under Military Rule, 1768-1769 (Boston, 1936), p. 96.

25. In his biography of Hutchinson, Professor Bailyn takes great pains to prove this point of the lieutenant governor's pre-1770 political mentality. As early as 1759 Hutchinson had been critical of the Council's weakness in the face of popular pressure and acknowledged that this was "largely due to its election annually by the members of the Assembly." Moreover, Bailyn contends, "He had no illusion that mere crown appointment would create 'that glorious independence which make[s] the House of Lords the bulwark of the British constitution and which sometimes saved the liberties of the people from threatened encroachments and at other times put a stop to advances making upon the royal prerogative.'" Hutchinson, History, Vol. II, p. 7, and Bailyn, The Ordeal, p. 93, n. 28. Yet Bailyn fails to make the distinction between Hutchinson's views as lieutenant governor and Council member (until 1766), and his post-1770 ideas as governor. The governor's attitude altered dramatically on this point.
26. Thomas Hutchinson to Lord Hillsborough, October, 1770, Hutchinson Letterbooks, XXVII: 32-33, (Courtesy of the Massachusetts Historical Society); Hutchinson, History, Vol. II, p. 11.
27. Andrew Oliver, February 12, 1769 in Copy of Letters Sent to Great Britain, by his Excellency Thomas Hutchinson, the Hon. Andrew Oliver, and Several Other Persons, Born and Educated among Us (Boston, 1773), p. 31.
28. Ibid., p. 32.
29. William Eddis, Letters from America, Historical and Descriptive; Comprising Occurrences from 1769 to 1777, Inclusive (London, 1792), pp. 52-53. Letter dated, April 2, 1770.
30. No. 3 The Dougliad. On Liberty (New York, 1770), pp. 2-3.
31. Numerous proposals for a colonial union were proffered between the seventeenth century settlements and the American Revolution, mainly to try and ensure economic conformity or simply for a better defense against British America enemies, namely the French, Spanish, or native Americans. Though these pre-revolutionary plans usually called for some type of "Grand Council," such as Benjamin Franklin's well-known Albany Plan of 1754, to advise what would be a single American governor, none of these schemes except Smith's called for a hereditary nobility to comprise the council. See Stone, "Plans for Union" in Hampton

Carson, ed., History of the Celebration. The self-exiled Pennsylvania loyalist, Joseph Galloway, tirelessly formulated Anglo-American union plans well after the American Revolution had gotten underway, composing variations on them until 1788. In his 1779 plan, Galloway proposed "an American branch of the British legislature" split into three wings. The second arm would be "appointed" by the King, "vested with some degree of rank or Dignity above the Commons and hold their offices during life." In his 1788 version, still fostering hopes of reconciliation, Galloway suggested that members of his proposed middle branch be "vested with the title of Baron," much like Governor Bernard had argued some twenty years earlier. See Julian Boyd, ed., Anglo-American Union (Philadelphia, 1941), pp. 117 and 173.

32. William Smith, Jr., Thoughts Upon the Dispute Between Great Britain and Her Colonies (New York, 1767).
33. Sir Egerton Leigh, Considerations on certain Political Transactions of the Province of South Carolina: Containing a View of the Colony Legislatures with Observations (London, 1774), pp. 68-70.
34. Sir John Dalrymple, The Address of the People of Great Britain to the Inhabitants of America (London, 1774), p. 23.
35. Thomas Bradbury Chandler, What Think Ye of Congress Now? (New York, 1775), pp. 34-35.
36. Ibid.
37. Great Britain, Parliament, Cobbett's The Parliamentary History of England (Lords), vol. 17: 1195-6.

- CHAPTER FIVE -

THE REPUBLICAN DETERRENT

To the evil of monarchy we have added that of hereditary succession;. . . claimed as a matter of right, [it] is an insult and an imposition on posterity. For all men being originally equals, no one by birth could have a right to set up his own family in perpetual preference to all others for ever.

Thomas Paine, Common Sense, 1776

A fool. . . has great need of a title. It teaches Men to call him Count and Duke and to forget his proper name of fool.

William Livingston, The Independent Reflector, 1753

An American version of the English titled nobility failed to develop in the seventeenth century because the British peerage, fearing competition from American parvenues, would not countenance its institution, and because the raw, frontier conditions of the New World did not provide a favorable medium for its development. In the eighteenth century, despite what recent historians have termed a "feudal revival" erupting throughout the colonies, despite a worship and yearning by Anglo-Americans for British culture and institutions, and despite frenetic pleas from imperial officials like Governor Bernard for an American nobility, it failed to develop just as it had in the seventeenth century.<sup>1</sup> The reason for that failure, however, was

dramatically different; a republican-spirited populace would not allow one to take root. On the eve of the American Revolution, republicanism, a set of ideas that collided headlong and then overwhelmed the prevailing Anglicization and feudal revival, was the chief obstacle to the growth and evolution of an American hereditary aristocracy.

## I

Much of the success of Tom Paine's explosive pamphlet, Common Sense, published in January, 1776, can be attributed to his remarkable ability to give cogent expression to feelings and attitudes many Americans privately fostered, especially the political ideology of republicanism. Paine, moreover, was also one of the first pamphleteers to directly attack the notion of hereditary authority and succession; it had corrupted the fiber of European society. The absence of distinctions and societal ranks, he argued, was vital to the successful development of republicanism, an ideology that had slowly evolved in America in the past decade and flourished after the publication of his monumental pamphlet, soon coming to dominate American political thought. Paine, with the publication of Common Sense, effectively destroyed any glimmer of hope that English minds had harbored towards the establishment of an American nobility, and he had done so by articulating American perceptions that had been forming at least several decades prior to 1776.<sup>2</sup>

The evolution of republican thought prior to the American

Revolution is a twisted and controversial topic, of which an extended analysis is entirely beyond the purview of this study.<sup>3</sup> Several general comments, however, need to be proffered in order better to understand the various responses of Americans to the idea of hereditary authority and aristocracy rule.

As the new historical progenitors of republicanism have pointed out, eighteenth century Americans drew heavily from the English libertarian political and social thinkers in formulating their own political ideology.<sup>4</sup> The historian, Robert Shalhope, encapsulates the philosophy of republicanism in a recent historiographical survey. He explains that:

Colonial spokesmen, drawing deeply on the libertarian thought of the English commonwealthmen, embraced a distinctive set of political and social attitudes and that these attitudes permeated their society. Believing that history revealed a continual struggle between the spheres of liberty and power, the American Revolutionaries quickly formed a consensus in which the concept of republicanism epitomized the new social and political world they believed they had created. Preserving a republican polity meant protecting liberty from the ceaseless aggression of power. In addition, Americans believed that what made republics great or ultimately destroyed them was not the force of arms but the character and spirit of the people. Public virtue, as the essential prerequisite for good government, was all-important. A people practicing frugality, industry, temperance, and simplicity were sound republican stock, while those who wallowed in luxury were corrupt and would corrupt others. Since furthering the public good--the exclusive purpose of republican government--required the constant sacrifice of individual interests to the greater needs of the whole, the people, conceived of as a homogeneous body (especially when set against their rulers), became the great determinant of whether a republic lived or died. Thus republicanism meant maintaining public and private virtue, internal unity, social solidarity, and vigilance against the corruptions of power. United in this frame of mind, Americans set out to gain their independence and then to establish a new



republic.<sup>5</sup>

Yet, when tracing the republican-colored American response to the imposition of a crown-appointed aristocracy, one must bear in mind that, though notions of human equality later became a chief facet of republican ideology, aristocratic rule based on merit and ability were not attacked. As the historian Gordon Wood has indicated, "The republicanism of the Revolution was not for most Americans directed at aristocracy per se."<sup>6</sup> Rule by the "better sort," by the nobility of society, was thought essential to the maintenance of free and efficient government.<sup>7</sup> America on the eve of the Revolution and afterwards, was indeed a deferential, not a democratic, society and had been that way since its seventeenth century birth.<sup>8</sup> In 1768 a Virginian summarized this nearly universally accepted attitude:

It is right that men of birth and fortune, in every government that is free, should be invested with power, and enjoy higher honors than the people. If it were otherwise, their privileges would be less, and they would not enjoy an equal degree of liberty with the people.<sup>9</sup>

Fellow Virginian and leading aristocrat, Landon Carter echoed these views. "It was the upper classes," he concluded, "that a country looked to for prudent advice and assistance," and "for patterns or examples."<sup>10</sup>

Even many of the Whig and country thinkers in Europe and America who would later become the harbingers of the American Revolution had at the heart of their social credo the notion that a deferential hierarchy and social inequality were absolute requisites for a free society. The best gentlemen, it was widely believed, should rule and common citizens

automatically and unquestioningly deferred to these elites. Even one of the most radical and caustic of the early American country thinkers, the journalist William Livingston, admitted that the "Supreme Governor of the Universe," has decreed "superiority and pre-eminence in some, and dependence and subjection in others."<sup>11</sup>

## II

Some fissures had begun to appear, however, in these widely accepted attitudes as far back as the 1720s. From the barbed pens of two of the more famous of the English libertarian thinkers, John Trenchard and Thomas Gordon, came Cato's Letters, a series of essays directed against many facets of the English socio-political system but primarily aimed at the corrupt administration of the incumbent Prime Minister, Sir Robert Walpole.

Cato's Letters were printed widely throughout the colonies during the 1720s and numerous historians point to their significance in formulating and channeling American opposition ideology.<sup>12</sup> Letter number 45, entitled, "Of the Equality and Inequality of Men" printed in 1721, is noteworthy.<sup>13</sup> In one of the most revolutionary statements of the eighteenth century, Cato wrote in his opening line that, "men are naturally equal, and none ever rose above the rest but by force or Consent: No man was ever born above all the rest, nor below them all." "Nature," he asserted, "is a kind and benevolent Parent; she constitutes no particular favorites with Endowments and Privileges above the rest. . . ." Furthermore:

All the Arts and Endowments of Men to acquire Pre-eminence and Advantages over one another, are so many Proofs and Confessions that they have not such Pre-eminence and Advantages from Nature; and all their Pomp, Titles, and Wealth, are Means and Devices to make the World think that they possess them are superior in Merit to those that want them. But it is not much to the Glory of the upper Part of Mankind, that their boasted and superior Merit is often the Work of Heralds, Artificers, and Money; and that many derive their whole Stock of Fame from Ancestors, who lived an Age or many Ages ago. There is nothing moral in Blood, or in Title, or in Place: Actions only, and the Causes that produce them, are moral. He therefore is best that does best. Noble Blood prevents neither Folly, nor Lunacy, nor Crimes: but frequently begets or promotes them: And Noblemen, who act infamously, derive no Honour from virtuous Ancestors, whom they dishonour. A Man who does base Things, is not noble; nor great, if he do little Things: A sober Villager is a better Man than a debauched Lord; an honest Mechanick than a Knavish Courtier.<sup>14</sup>

By the 1740s Americans began articulating similar arguments. Titles and preferments, though occasionally beneficial in rewarding someone for good deeds or services or simply the mark of good upstanding charcter, seemed on balance to be unfairly doled out within the Empire and had become inflated with time. In 1747, William Douglass observed that, "Hereditary nobility and other great officers where any considerable Trust attends, are great Inticements to good actions in Progenitors, who are ambitious and entailing Honors upon their own Memory or Posterity." However, Douglass added, "in Nature [titles] seem absurd, as if wisdom were hereditary."<sup>15</sup>

Political writers warned in the 1750s, just as had Puritan theologians in the 1600s, that Americans should not be taken in by the grandeur and vanity of preferments. Just because an aristocrat might have a high-sounding title prefixed or suffixed to his name, did not necessarily imply he was a man of high moral fiber. A writer complained to the Virginia Gazette in 1751 that, "I have observed that

the majority of those that claim "the "term gentleman. . .have abandoned themselves to such trifling or vicious Practices, and glory in them as their Peculiar Badge and Characteristic."<sup>16</sup> In a 1753 New York newspaper essay entitled, "The Vanity of Birth and Titles; with the Absurdity of Claiming Respect without Merit," the opposition spokesman, William Livingston, cautioned his readers that, "an indiscriminate respect for Men in conspicuous Stations, barely on account of their extraneous Advantages, tho' they abuse and pervert them, degenerates into a Vice, and is introductive of the most pernicious Mischiefs." "Real Dignity and worth," he continued, "are personal and Intrinsic. They cannot be derived from Princes, nor entailed on Titles."<sup>17</sup>

Similar attitudes filtered into the Revolutionary period, particularly when republican-minded writers began emphasizing frugality and simplistic virtue over refinements and vanity which had come to represent a foppish, corrupt, court-controlled English government. In 1769, Purdie and Dixon's Virginia Gazette, noted that, "The phrase [gentleman] can have its origin no where but in human vanity and nothing but pride can support it."<sup>18</sup> In 1768 one of Governor Bernard's old nemeses, the Boston radical, James Otis, Jr., expressed this new view towards English institutions when he said that, "tis notoriously known there are no set of people. . .more venal, more corrupt and debauched in their principles," than the House of Lords.<sup>19</sup> "Rank at present," an anonymous Philadelphian remarked in early 1776, "is derived more from qualification than property; a sound moral character, amiable manners and firmness in principle constitute the first class,

and will continue to do so 'till the origin of families be forgotten and the proud follies of the old world over-run the simplicity of the new."<sup>20</sup>

Old traditions died hard, however, and for many Americans discarding the vestiges of their venerated English past was a difficult task at best. In most aspects of colonial culture the Americans felt themselves inferior to their British counterparts. To members of the upper classes who prided themselves on political stability in the face of frontier conditions and who sought to mimic the English style, to Anglicize themselves, to seek legitimacy in the face of a growing republican population, to be thought of as inferior in British circles or chastised for their aspirations, was especially galling.<sup>21</sup>

As the venerable colonial historian, Michael Kammen, has noted, "The sources of legitimacy in political society may be hereditary, aristocratic, democratic, elective, or a combination thereof." Significantly, he notes, legitimacy in the English colonies "inherited increasingly in democratic and elective sources, rather than in hereditary and titled origins." "Nevertheless," he argues, "the colonists recognized this reality with great reluctance because it signalled a serious departure from traditional European standards."<sup>22</sup> Thus, the remedy for the flaw in the second branch of the American governments puzzled some American political theorists in light of the pervasive republican ideology. Titles, dignities, and hereditary preferments provided much-needed independence, but at the same time smacked of English vanity.<sup>23</sup> William Drayton, writing from South Carolina in 1774, believed he had found a solution. He declared that

"we do not yet desire dignities, Lordships and Dukedoms." However, he added, "a second branch of the legislature, permanent and not subject to removal by the Crown or People is an essential part of the Constitution." As a compromise Drayton suggested "that this branch shall be formed out of American families; as men so interested will be more zealous for the interests of America, than strangers destitute of property and natural alliance in the colonies," a direct reference to the presence of placemen then occupying council positions.<sup>24</sup>

American leaders continued to grapple with this aspect of their respective governments well after the Revolution had run its course. Eventually, after several years of experimentation, an elective upper house, the Senate, was installed in the federal and state governments as the ultimate solution. An elective upper chamber composed of the ablest men in society, seemed to solve the dilemma of an aristocratic branch in a republican form of government and provided the balance vital to the newly formed American governments.<sup>25</sup> More immediately, what, then, became of the attempts such as those by Governor Bernard and others to create an artificial hereditary aristocracy in colonial America?

### III

Based upon their readings of classical and English histories the American leaders after 1763 had become increasingly wary of any form of external interference into their political affairs by the British. As recent historians have accurately noted, after greater imperial control of the colonies had become policy after 1763, many of the leading

Americans saw British actions, no matter how trifling, as a prelude to more sinister activity in the future. Any form of feudalistic practice introduced by Britain into the colonies--a titled nobility surely qualified--suspiciously resembled an attempt further to control the lives of Americans, paving the way to, at best their reduction to political serfdom, at worst, feudal slavery, with homage paid in the form of burdensome taxation.<sup>26</sup>

To Americans recently groomed in the libertarian rhetoric of the English Whig opposition and from their study of ancient British history, England had been an orderly representative democracy under the Saxon kings, but with the Norman conquest, a nobility had entrenched itself, and corruption and heavy taxes to support its affluent positions soon followed in its wake.<sup>27</sup> Could not the same happen in America? As far back as 1740, the Maryland Assembly in a debate with the governor and the Council over the creation of a Maryland version of the English peerage, cautioned that although, "We incline to believe that the Plantation would as soon obtain Aristocracies. . .by filling Upper Houses with Lords Temporal. . . .Yet any Proposition in favour of this. . .might not meet with a very easy Digestion; because the Revenues necessary to support their Dignity must be raised out of the immediate Labour of the People in the Colonies." <sup>28</sup>

Moreover, if Americans, the Assembly cautioned, did not remain on guard, the enormity of prerogative power could easily overwhelm them. "Let such a distinct Power, be once created," they charged:

more especially if it be under a Governor's direction,  
as it is in Maryland; and it will gradually and

imperceptibly, or perhaps at one Stroke, if the Representatives or trustees for the People should at any Time drop asleep. . . changes or dissolutions prove faithless, create to itself for that is one principal End of its Creation, a distinct Interest, as in fees, Perquisites, Rents and Revenues.

The only place these revenues could possibly be obtained they concluded, was "out of the Labour of the People." The establishment of such an interest, they agreed, would "not only seem useless, but visibly dangerous." <sup>29</sup>

Herein rested the key problem with external attempts to manufacture an American nobility. The American Revolutionary leaders were indeed radicals, but as Bernard Bailyn and R.R. Palmer have noted, they were eighteenth century radicals. They did not overly concern themselves with a basic inequality in society or Britain's recasting of the social order. It was unrestrained power that an attempt like Governor Bernard's, if successful, would come to represent. If the prerogative power was allowed to succeed vis-a-vis the restructuring of American political institutions, just where would it finally stop? <sup>30</sup> To most Americans the answer appeared plainly--political power left unrestrained and unharnessed, would shortly bound the American colonists in the yoke of slavery. Plans for a nobility represented just one attempt among many, of an evil, designing Parliament's desire to enslave the Americans. The editor of the Virginia Gazette expressed the ideas of many when he wrote in the fall of 1775 that Americans who read of these English proposals, "will then find how eagerly [Parliament] wishes to form distinctions amongst us" that would only serve, he noted, "to create a few more tools of oppression." <sup>31</sup>

Rumors of the creation of an American bishop and an Anglican



episcopacy in the colonies in the late 1760s, ostensibly hatched by Parliament to pacify and control American religious stirrings, were viewed in the same vein as attempts to create an American nobility. Anne Hulton, a Boston loyalist, noted that:

The Credulity of the Common People here is imposed on by a number of Lies raised to irritate and inflame them. They believe that the [Customs] Commissioners have an unlimited power given to tax even their Lands and that its in order to raise a revenue for supporting a number of bishops that are coming over.<sup>32</sup>

A 1768 cartoon depicted the arrival of a mitre-crowned bishop aboard a British ship being met by banner-waving American patriots readying themselves to throw the clergyman overboard. The inscription on the banner read, "no lords, spiritual or temporal," and other captions agreed with Miss Hulton's observations that bishops equalled increased taxation. The eminent American congregationalist, Jonathan Mayhew, writing to the Archbishop of Canterbury, steadfastly maintained that, "Bishops," could very easily be used in "establishing a tyranny over the bodies and souls of men." Moreover, "the stamping and episcopizing [of] our colonies. . .were only different branches of the same power."<sup>33</sup>

The "American Whig" wrote in a 1768 issue of the New York Gazette that an American bishop would "sow the seeds of universal discord; and besides the deprivation of our civil liberties, lend his helping hand to involve us in ecclesiastical bondage into the bargain. Is this a time to think of episcopal palaces," he wondered, "of pontifical revenues, of spiritual courts, and all the pomp, grandeur, luxury and

regalia of an American Lambeth?" "The Bishop," he added, would be a "splendid, opulent, court-favored, law-dignified, superb, magnificent, powerful prelate. . ." but one of "the worst commodities that can possibly be imported into a new country, and must inevitably prove absolute desolation and ruin to this."<sup>34</sup>

Though their fears later proved unfounded--the British ministry never seriously considered sending bishops to America--John Adams summarized the deeper significance of their premature concerns.<sup>35</sup> Writing in 1815 he believed that, "The apprehension of Episcopacy contributed fifty years ago, as much as any other cause, to arouse the attention. . .of the common people, and urge them to close thinking on the constitutional authority over the colonies." "The objection," he held, "was not merely to the office of a bishop, though even that was dreaded, but to the authority of Parliament, on which it must be founded."<sup>36</sup>

The same could be said of Adams's opinions on the introduction of an American nobility. The young Massachusetts lawyer, perhaps the most eloquent and articulate of the Revolutionary spokesmen, expressed and molded the opinions of many Americans. In his series of letters to the Boston Gazette published in 1773 and 1774 entitled "Novanglus," Adams informed his American readers, "that the ministry and their governors together had formed a design to enslave them and when once this was done," the country could only expect reduction to "lordships." After some of Governor Bernard's letters were published in 1774 on the topic of an independent hereditary aristocracy, Adams reminded his public that as early as 1764, Governor Bernard had "formed a design of this

sort." The future president believed as further indication of a grand conspiracy to subvert American liberties, one need only point to "Hutchinson and Oliver," (whose letters had been surreptitiously published in 1773) "notwithstanding all their disguises were in unison with [Bernard] in the whole of his measures."<sup>37</sup>

Some thirty-odd years later, the retired statesman in a letter to Mercy Warren, reflected upon these attempts to oppress the American people. In the same letter he described his famous "Principles of Revolution," the sixth labelled the "Necessity of resisting the introduction of a Royal or Parliamentary nobility or aristocracy into the country."<sup>38</sup> Adams, as many of his countrymen had come to realize after a decade of attempted British interference in their lives, believed such measures as Bernard's and later Oliver's, "would annihilate all our privileges by charter, and establish the sovereign authority of Parliament in all our internal concerns." "I entered therefore," he wrote, "with zeal into an opposition to this scheme." Judged by their subsequent armed revolt in quest for independence from the yoke of British domination, most Americans shared Adams's sentiments and instead chose new, democratic methods over those European and tradition-worn ones, in determining which men would rule their new nation.<sup>39</sup>

NOTES, CHAPTER FIVE

1. Berthoff and Murrin, "Feudalism, Communalism, and the Yeoman Freeholder," p. 264. Robert Kelley in his The Cultural Pattern in American Politics: The First Century (New York, 1979) writes: "Many colonials, especially those who lived along the seaboard and were largely English and Anglican in origin and culture, warmly encouraged this heightened interchange. Almost universally they admired things English, and their influence produced an increasing Anglicization of colonial life, making it ever more like traditional England and less distinctively American. To them, the United Kingdom's institutions, especially its parliamentary system and the liberties won in the Glorious Revolution, were sacred. Anglophiles in the colonies gloried in being members of the powerful and resplendent British empire. They held in awe Britain's aristocracy, its brilliant naval officers, and its pomp and ceremony. Southern planters modeled themselves after an idealized image of the English country gentleman, and the colonial upper classes aped London fashions. Colonial judges began wearing British scarlet robes; Anglican circles of power and influence clustered around the royal governments; and Church of England membership in the colonies surged dramatically," pp. 37-38.
2. See Eric Foner's article, "Tom Paine's Republic: Radical Ideology and Social Change, " in Alfred Young, ed., The American Revolution: Exploration in the History of American Radicalism (Dekalb, Ill., 1976), p. 200; Eric Foner, Tom Paine and Revolutionary America (New York, 1976), p. 75. Also see pp. 71-106 for Foner's discussion of Paine's republicanism.
3. The reader is directed to Robert E. Shalhope's historiographical overview, "Republicanism and Early American Historiography" William and Mary Quarterly 3rd, 29 (1982): 334-356. Shalhope does a yeoman's job in sorting through the various interpretations and directions early American historians have pursued in recent years in the area of republicanism.
4. The leading member of this group is Bernard Bailyn, see his The Ideological Origins, passim, and The Origins of American Politics, especially Chapter I. Gordon Wood in The Creation of the American Republic, restates much of Bailyn's ideas. Many of my own conclusions have been tempered by these three works. See Robbins, The Eighteenth Century Commonwealthmen and Pocock, The Machiavellian Moment, for equally thorough discussions of English libertarian thought.
5. Shalhope, "Republicanism:" 334-35.
6. Wood, The Creation of the American Republic, p. 208.

7. R.R. Palmer, The Age of the Democratic Revolution, Vol. I, p. 175. See Ibid., pp. 143-81 for a discussion of this aspect of political thought.
8. John Murrin, "The Myths of Colonial Democracy and Royal Decline in Eighteenth Century America: A Review Essay," Cithara, V (1965): 53-69.
9. Virginia Gazette (Rind), June 9, 1768.
10. Quoted in Jack P. Greene, Landon Carter: An Inquiry into Personal Values and Social Imperatives of the Eighteenth Century Virginia Gentry (Charlottesville, Va., 1967), p. 33.
11. William Livingston, The Independent Reflector, edited by Milton Klein (Cambridge, 1963), p. 362. John Adams, among other leading elites agreed as he proclaimed that "God has laid in the constitution and course of nature the foundations of distinction." Quoted in John R. Howe, The Changing Political Thought of John Adams (Princeton, 1966), p. 137.
12. See Bailyn, The Origins of American Politics, Chap. I.
13. See David L. Jacobsen's compilation of Trenchard and Gordon's, "Cato's Letters" in The English Libertarian Heritage (New York, 1965); Gary Nash, The Urban Crucible: Social Change, Political Consciousness, and the Origins of the American Revolution (Cambridge, 1979), p. 340; See J. R. Pole, "Historians and the Problem of Early American Democracy," American Historical Review (July, 1962): 626-646.
14. "Cato's Letters," Number 45, September 16, 1721, in Jacobsen, ed., The English Libertarian Heritage, pp. 101-6.
15. Douglass, A Summary, Historical and Political, p. 215.
16. Quoted in Jack P. Greene, Richard Bushman, and Michael Kammen, Society, Freedom, and Conscience: The American Revolution in Virginia, Massachusetts, and New York (New York, 1976), p. 72.
17. Quoted in Livingston, The Independent Reflector, p. 359.
18. Virginia Gazette (Purdie and Dixon), March 30, 1769.
19. Quoted in Clifford Shipton, ed., Sibley's Harvard Graduates: Biographical Sketches of those who attended Harvard College (Boston, 1873 - ), XI: 274-75.
20. Four Letters on Interesting Subjects (Philadelphia, 1776), p. 3.
21. Bailyn and Clive, "England's Cultural Provinces": 200. Bailyn and Clive accurately note that, "there were few cultivated

- aristocrats in the colonies to lead intellectual and artistic advances.": 203.
22. Kammen, People of Paradox, pp. 32-33.
  23. Bailyn and Clive, "England's Cultural Provinces," identify the problem precisely: "Two forces," they write, "two magnets, affected [the Americans] efforts to find adequate standards and styles: the values associated with the simplicity and purity (real or imagined) of nativism, and those to be found in [British] cosmopolitan sophistication,"": 213.
  24. William Drayton, A Letter from Freeman of South Carolina (Charlestown, 1774), p. 32.
  25. See Gordon Wood, The Creation of the American Republic, pp. 567-92 for the ultimate American solution to aristocratic rule.
  26. See Bailyn, The Ideological Origins, passim; Pauline Maier, From Resistance to Revolution: Colonial Development of American Opposition to Britain, 1765-1776 (New York, 1972); and Gordon Wood, "Rhetoric and Reality in the American Revolution," William and Mary Quarterly 3rd, 23 (1966): 3-32, for this theme of the watchfulness of Americans toward political slavery.
  27. See Colburn, The Lamp of Experience, esp. Chap. 1.
  28. The American Magazine, pp. 37-38.
  29. Ibid.
  30. Palmer, The Age of the Democratic Revolution, I: passim; Bailyn, The Ideological Origins, p. 283.
  31. Virginia Gazette (Purdie), September 22, 1775.
  32. Anne Hulton to Mrs. Adam Lightbody, June 30, 1768 in Letters of a Loyalist Lady Ann Hulton (Cambridge, 1927), p. 13.
  33. The cartoon appears in the forward of Carl Bridenbaugh's, Mitre and Sceptre: Transatlantic Faiths, Ideas, Personalities, and Politics, 1689-1775 (New York, 1962); Alden Bradford, ed., Memoir of the Life and Writings of Rev. Jonathan Mayhew (Boston, 1838), p. 372.
  34. New York Gazette or Weekly Post-Boy, March 14, 1768.
  35. See Charles Chancey to Dr. Richard Price, March 22, 1770, Boston Public Library Rare Documents Division and Thomas Hollis to Jonathen Mayhew, December 6, 1763, Massachussetts Historical Society Proceedings (Boston, 1947-50), 69: 142.
  36. John Adams, The Works of John Adams, ed., Charles Francis Adams,

(Boston, 1851) Vol., X, pp. 185-88. For the best contemporary source equating political slavery with the introduction of bishops, see the series of essays entitled: "Centinel," which appear throughout the Pennsylvania Journal and Weekly Advertiser in 1768. Many of these writings are contained in The Centinel: Warnings of a Revolution, edited by Elizabeth I. Nybakken (Newark, 1980). William Nelson's The Controversy over the Proposition for an American Episcopate, 1764-1774, A Bibliography (Boston, 1909), provides an extensive listing of other contemporary accounts of the controversy.

37. Adams, Works, Vol. II, pp. 28 and 54.
38. John Adams, Collections of the Massachusetts Historical Society (Boston, 1878), Vol. IV, pp. 343-44, letter dated July 20, 1807.
39. Ibid.

- AFTERWORD -

No title of nobility shall be granted by the United States.

United States Constitution, Article 1, Section 9

Looking back from the twentieth century, the revered British socio-political institution of a titled nobility, the key fixture in the English system of mixed government, did not make the journey to the colonial settlements of the New World. As a result, instability caused in part by dependency, factional opposition, and the lack of legitimacy felt by the colonial elites who had served in the American counterpart to the English House of Lords--the colonial councils--gradually shook the foundations of eighteenth century colonial politics. Partially correct, British and some American officials attributed this instability, to the lack of a bona fide mediating class residing between the governor on the one hand, the representative of the crown, and on the other, the people, represented by the colonial assemblies. Without the status, the legitimacy thought to be provided by titles of nobility, hereditary authority and the like, many believed that by the 1760s and 1770s the perfect mixed governmental model had completely broken down in America, contributing significantly to the Revolutionary crisis. These notions, true or false as they may have been, generated frantic pleas from those closely connected with the colonial political situation for someone, whether in Britain or even America, if feasible, to perfect and balance an inchoate, imperfect and unbalanced system. Americans, recently inundated with republican principles and



ideology--an ideology that flew directly against titles of nobility, artificially contrived inequality, deference and the like--resisted these attempts. The Revolutionary crisis and subsequent overthrow of British rule and the institution of a democratic republican government in its place, laid these plans to rest.

Many British officials remained convinced well after the Revolution that the loss of the American colonies could be directly attributed in Prime Minister William Pitt's words, to "the want of the more resemblance in their constitution[s] with that of Great Britain."<sup>1</sup> In the 1789 parliamentary debate over the new Canadian constitution, the powerful Lord Grenville proposed the creation of a titled aristocracy designed to give the Canadian upper house, "a greater degree of weight and consequence than was possessed by the councils in the old colonial government and to establish in the provinces a body of men having that motive of attachment to the existing form of government which arises from the possession of personal or hereditary distinction."<sup>2</sup> The subsequent Canada Act of 1791 did allow for a life-tenured, upper-house whose members were eligible for titles or ranks as the king saw fit. The provision, however, for a variety of reasons, never went into effect in Canada.<sup>3</sup> In America, during the nascent Federalist era, despite, ironically, John Adams's half-hearted campaign to secure high-sounding titles for certain members of the government, all pretenses to nobility were outlawed.<sup>4</sup> Instead, a natural aristocracy, embodied in the elective Senate emerged to fulfill the role of the upper house and to safeguard interests of the propertied element of American society.<sup>5</sup>

To conclude, and in the words of one contemporary historian, "had a new variety of English aristocracy been established in America. . . and had a truly English gentry been formed. . . then perhaps the Americans would today be British commonwealthmen."<sup>6</sup> And furthermore, Section 9 of Article 1 of the United States Constitution, forbidding titles of nobility, as well as the entire document itself, would have been unnecessary.

## NOTES, AFTERWORD

1. Quoted in R. Coupland, The American Revolution and the British Empire (London, 1930) p. 279.
2. Dispatch from William Grenville, Secretary for Home and Colonies to Sir Guy Dorchester, Governor of Canada, quoted in William Kennedy, The Constitution of Canada, 1534-1937 (New York, 1938), p. 79.
3. Palmer, The Age of the Democratic Revolution, Vol. I, p. 517.
4. See James Hutson, "John Adams' Title Campaign" New England Quarterly, XLI (1968): 30-39, and Howe, The Changing Political Thought, pp. 176-82, for this curious, but ill-fated twist in Adams's political thought.
5. See Wood, The Creation of the American Republic, pp. 469-562 for an extensive discussion of the debate over the place of aristocracy in post-Revolutionary America.
6. Paul Lucas, "A Note on the Comparative Study of the Structure of Politics in Mid-Eighteenth Century Britain and Its American Colonies," William and Mary Quarterly 3rd, 28 (April, 1971): 307.

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